**DETERMINATION AND FINDINGS**

**FOR**

**SOLE SOURCE PROCUREMENT’s** **FIRST CONTRACT AMENDMENT**

1. **Authorizationi**

* D.C. Code § 34-801
* D.C. Code § 34-804
* 15 D.C.M.R. § 3700

2. **Minimum Need**

The Office of the People’s Counsel for the District of Columbia (“OPC” or “Office”) exclusively requests the renewed services of Spiegel & McDiarmid, LLP for the purposes of researching and drafting a motion to dismiss DC Water’s cross-petition, reviewing DC Water’s response to the OPC motion, and researching and drafting OPC’s reply to DC Water for the District of Columbia v. D.C. Water & Sewer Authority, D.C. Court of Appeals Case Nos. 22-AA-449, 22-AA-450 & 22-AA-469.

3. **Estimated Fair and Reasonable Price-** **First Contract Amendment**

The total contract (“not –to-exceed”) of $25,000.

4. **Facts That Justify Amendment to First Contract**

1. The Office of the People’s Counsel is an independent agency of the District of Columbia Government. By law, it is the advocate for consumers of natural gas, electric, water and landline telephone services in the District. District of Columbia law designates the Office as a party to all utility-related proceedings before the District of Columbia Public Service Commission (“PSC” or “DC PSC” or “Commission”). The Office also represents the interests of District ratepayers before federal regulatory agencies. The Office is authorized to investigate the operation and valuation of utility companies independently of any pending proceedings.
2. Spiegel & McDiarmid, LLP., will: draft an initial and reply brief. These include researching and drafting a motion to dismiss DC Water’s cross-petition, reviewing DC Water’s response to the OPC motion, and researching and drafting OPC’s reply to DC Water’s motion

5. **Certification by the Contracting Officer**

IN WITNESS WHEREOF, Scott H. Strauss on behalf of Spiegel & McDiarmid, LLP and Naunihal Singh Gumer on behalf of the Office of the People’s Counsel for the District of Columbia have executed this Contract Amendment.

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Cherry Belle Date

Contracting Officer

**DETERMINATION**

Based on the above findings and in accordance with the District of Columbia procurement regulations: *DC Law: 34-804; DC Law: 34-801;* and *15 D.C.M.R. §3700,*

I hereby determine that the award of a sole source contract for the services described herein is in the best interest of the Office of the People’s Counsel.

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Naunihal Gumer

Director, Regulatory Finance