

**New York Department of State, Division of Consumer Protection,
Utility Intervention Unit
REQUEST FOR QUOTATION (RFQ) #17-UIU-26**

**Consultant Services: Investor-owned Regulated Public Utility
Performance-based Revenues**

Questions & Answers Posted: September 22, 2017

Question 1.

Have any other regulated New York electric and/or gas utilities had an Earnings Adjustment Mechanism approved by the New York Department of Public Service (DPS)? If so, can UIU provide the DPS order(s)?

Answer 1.

Yes. The implementation of Earning Adjustment Mechanisms (EAMs) was approved by the New York Department of Public Service Commission in Consolidated Edison Electric and Gas Rate Cases 16-E-0060 and 16-G-0061. See the Order Approving Electric and Gas Rate Plans on January 25, 2017 on the New York State Department of Public Service's Document and Matter Management (DMM) website by searching under the case numbers 16-E-0060 and 16-G-0061 and filtering Document Type to "Orders." The link to the DMM website is provided below.

<http://www3.dps.ny.gov/W/PSCWeb.nsf/All/FCFC9542CC5BE76085257FE300543D5E?OpenDocument>

Example search result for the specific Commission Order under case numbers 16-E-0060 and 16-G-0061 is shown below:

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- Matter Master: 16-00253/16-E-0060

Matter Number:	16-00253	Case Number:	16-E-0060
Industry Affected:	Electric	Company/Organization:	Consolidated Edison Company of New York, Inc.
Matter Type:	Tariff	Matter Subtype:	Major rate
Title of Matter/Case:	Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Electric Service		
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[Filed Documents \(484\)](#) [Public Comments \(1251\)](#) [Party List \(80\)](#) [Calendar \(4\)](#)

Document Type: [Search Matter Documents](#)

Sr.No.	Date Filed	Document Type	Document Title	Filing On Behalf Of	Item No.	File Name	File Size
1	1/25/2017	Orders	Order Approving Electric and Gas Rate Plans	Public Service Commission	159	201-A 16-E-0060 et al Order Final.pdf	496.28 K
2	11/22/2016	Orders	Order Approving Extension of Maximum Suspension Period of Major Rate Filings	Public Service Commission	154	263_16e0060 et al Final.pdf	139.62 K
3	5/9/2016	Orders	Protective Order	Public Utility Law Project of New York, Inc.	25	Con Edison Protective Order_Filed by PULP_5.6.16.pdf	913.43 K

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Question 2.

To date, how many third-party intervenors have intervened in this proceeding? If available, please provide names and affiliations.

Answer 2.

A list of all parties in cases 17-E-0459 and 17-G-0460 are provided on the New York State Department of Public Service's Document and Matter Management (DMM) website by searching under the case numbers 17-E-0459 and 17-G-0460 and clicking on "Party List".

The link to the DMM website is provided below.

<http://www3.dps.ny.gov/W/PSCWeb.nsf/All/FCFC9542CC5BE76085257FE300543D5E?OpenDocument>

A snapshot of the party list, including representing company, mailing address, and email/phone/fax numbers, is shown below.

Sr.No.	Name of Person/Title/Company »	Representing Company	Mailing Address	Email/Phone/Fax	Consent to Party to Party Electronic Service »
1	Berkley, Richard Executive Director Public Utility Law Project of New York, Inc.	Public Utility Law Project of New York, Inc.	90 South Swan Street, Suite 401 Albany, NY 12210	rberkley@utilityproject.org Ph: 917-512-5334	Yes
2	Bix, Jonathan Executive Director Nobody Leaves Mid- Hudson	Nobody Leaves Mid-Hudson	29 North Hamilton St Poughkeepsie, NY 12601	info@nobodyleavesmidhudson.org Ph: (845) 481-0703	Yes
3	Borchert, John Senior Director of Energy Policy and Transmission Development Central Hudson Gas & Electric Corporation	Central Hudson Gas & Electric Corporation	284 South Avenue Poughkeepsie, NY 12601	jborchert@cenhud.com Ph: (845) 486-5327 Fax: (845) 486-5697	Yes
4	Brideau, David Director - Regulatory Planning Central Hudson Gas & Electric Corporation	Central Hudson Gas & Electric Corporation	284 South Avenue Poughkeepsie, NY 12601	dbrideau@cenhud.com Ph: 845-496-5263 Fax: 845-486-5894	Yes
5	BUNT, GLYNIS Senior Director-Cost, Rates & Forecasts CENTRAL HUDSON GAS & ELECTRIC CORPORATION	Central Hudson Gas & Electric Corporation	284 SOUTH AVENUE POUGHKEEPSIE, NY 12601	gbunt@cenhud.com Ph: 845-486-5420	Yes

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6	Campagiorni, Anthony Vice President, Dev. & Gov. Affairs Central Hudson Gas & Electric Corporation	Central Hudson Gas & Electric Corporation	284 South Ave Poughkeepsie, NY 12601	acampagiorni@cenhud.com Ph: 845-486-5201	Yes
7	Chipman, Carl Ulster County Association of Town Supervisors and Village Mayors, Rochester Town Supervisor	Ulster County Association of Town Supervisors and Village Mayors	P.O. Box 65 Accord, NY 12404	cmc102988@yahoo.com Ph: 845-626-3043	Yes
8	Colbert, Paul Associate General Counsel - Regulatory Affairs Central Hudson Gas & Electric Corporation	Central Hudson Gas & Electric Corporation	284 South Avenue Poughkeepsie, NY 12601	pcolbert@cenhud.com Ph: (845) 486-5831 Fax: (845) 486-5782	Yes
9	Collar, Gregg Utility Program Analyst, Utility Intervention Unit New York State, Department of State	Utility Intervention Unit, Division of Consumer Protection, Department of State	One Commerce Plaza, 99 Washington Avenue, Suite 640 Albany, NY 12231	gregg.collar@dos.ny.gov Ph: 518-474-1811	Yes
10	Favreau, John General Counsel's Office New York State Department of Public Service	New York State Department of Public Service	Three Empire State Plaza, 18th Floor Albany, NY 12223- 1350	john.favreau@dps.ny.gov Ph: (518) 474-1573 Fax: (518) 486-5710	Yes
11	FitzGerald, Brian Partner Cullen and Dykman, LLP	Central Hudson Gas & Electric Corporation	99 Washington Avenue, Suite 2020 Albany, NY 12210	bfitzgerald@cullenanddykman.com Ph: (518) 788-9401	Yes
12	Fung, Justin Associate Couch White, LLP	Multiple Intervenors	540 Broadway, P.O. Box 22222 Albany, NY 12201- 2222	jfung@couchwhite.com Ph: 518-426-4600	Yes
13	Jorgensen, Lisabeth Staff Attorney Public Utility Law Project of NY, Inc.	Public Utility Law Project of New York, Inc.	90 South Swan Street, Suite 401 Albany, NY 12201	ljorgensen@utilityproject.org Ph: 518-308-8208	Yes
14	Lewis, Maida Senior Director Regulatory Affairs Central Hudson Gas & Electric Corporation	Central Hudson Gas & Electric Corporation	284 South Avenue Poughkeepsie, NY 12601	mlewis@cenhud.com Ph: (845) 486-5375 Fax: (845) 486-5894	Yes
15	Mager, Michael Partner Couch White, LLP	Multiple Intervenors	540 Broadway, P.O. Box 22222 Albany, NY 12201- 2222	mmager@couchwhite.com Ph: 518-426-4600	Yes
16	Metzger, Jennifer Director Citizens for Local Power	Citizens for Local Power	P.O. Box 514 Rosendale, NY 12472	jentmetzger@gmail.com Ph: 845-489-0830	Yes
17	Mosher, Michael President & CEO Central Hudson Gas & Electric Corporation	Central Hudson Gas & Electric Corporation	284 South Avenue Poughkeepsie, NY 12601	mmosher@cenhud.com Ph: 845-486-5577	Yes
18	Nickson, Gregory Partner Cullen and Dykman LLP	Central Hudson Gas & Electric Corporation	99 Washington Avenue, Suite 2020 Albany, NY 12210	gnickson@cullenanddykman.com Ph: (518) 788-9440	Yes
19	O'Hare, Kathleen Excelsior Fellow Department of State, Utility Intervention Unit	Utility Intervention Unit, Division of Consumer Protection,	One Commerce Plaza Albany , NY 12210	kathleen.ohare@dos.ny.gov Ph: 518-486-7758	Yes

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		Department of State			
20	Page, Allan Principal A. Page & Associates LLC	County of Dutchess	9 Vassar Street, Suite 30 Poughkeepsie, NY 12601	apage@apageassociates.com Ph: (845) 452-7455 Fax: (845) 452-7581	Yes
21	Panko, Danielle Utility Analyst Department of State, Consumer Protection - Utility Intervention Unit	Utility Intervention Unit, Division of Consumer Protection, Department of State	One Commerce Plaza, 99 Washington Ave., Suite 640 Albany, NY 12231	danielle.panko@dps.ny.gov Ph: 518-408-3915	Yes
22	Powers, Stacy Project Manager Central Hudson Gas & Electric Corporation	Central Hudson Gas & Electric Corporation	284 South Avenue Poughkeepsie, NY 12601	spowers@cenhud.com Ph: 845-483-6083	Yes
23	Schaffer, Kimberly Paralegal Couch White, LLP	Multiple Intervenors	540 Broadway, P.O Box 22222 Albany, NY 12201- 2222	kschaffer@couchwhite.com Ph: 518-426-4600 Fax: 518-426-4600	Yes
24	Scrufari, Carrie Lead Counsel Utility Intervention Unit	Utility Intervention Unit, Division of Consumer Protection, Department of State	One Commerce Plaza, 99 Washington Avenue Albany, NY 12231	carrie.scrufari@dps.ny.gov	Yes
25	Valova, Radina Staff Attorney Pace Energy and Climate Center	Pace Energy And Climate Center	78 North Broadway, E-House White Plains, NY 10603	rvalova@law.pace.edu Ph: 914-422-4126	Yes
26	Woebbe, Bridget Assistant Counsel New York State Department of Public Service	New York State Department of Public Service	3 Empire State Plaza Albany, NY 12223	bridget.woebbe@dps.ny.gov Ph: 518-473-6176 Fax: 518-473-7081	Yes

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Question 3.

Is there a maximum budget limit for this RFQ? If so, what is the maximum budget limit?

Answer 3.

A maximum budget limit for this RFQ has not been defined. Please see “Evaluation of Proposals” section on pages 8-9 of the RFQ that lists the determining factors in the consultant selection process.

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Question 4.

At what locations will the hearing and settlement meetings be held?

Answer 4.

At this point, the locations of the hearings and settlement meetings under cases 17-E-0459 and 17-G-0460 have not been determined.

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Question 5.

Is the Company currently collecting revenues under a DPS approved Earnings Adjustment Mechanism? If so, can UIU provide the DPS order?

Answer 5.

According to the UIU's knowledge, Central Hudson is not currently collecting revenues under Earning Adjustment Mechanisms.

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Question 6.

Attachment 1 to the RFQ does not have a line for travel expenses. Will travel expenses be reimbursed under the contract?

Answer 6.

All work under this contract is assumed to be performed without the need to travel. As such, travel expenses will not be reimbursed under this contract. Incidental out-of-pocket expenses such as domestic telephone charges, in-house copying, overnight delivery charges (and the like), car tolls, and the cost of meals while on the road are all deemed to be included in the contract budget. In the event these cases go to evidentiary hearings, a separate contract may be developed to handle the preparation and travel to evidentiary hearings.

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Question 7.

Has the DPS considered the effects of Earnings Adjustment Mechanisms on the risk that a public utility faces and making adjustments to authorized return on equity in response?

Answer 7.

The UIU has not fully outlined the Commission's concerns regarding the effects of Earning Adjustment Mechanisms and the relationship with return on equity. However, the main case pertaining to Earning Adjustment Mechanisms is filed under case 14-M-0101 on the New York State Department of Public Service's Document and Matter Management (DMM) website. Related cases are listed under the main case number 14-M-0101.

The link to the DMM website is provided below.

<http://www3.dps.ny.gov/W/PSCWeb.nsf/All/FCFC9542CC5BE76085257FE300543D5E?OpenDocument>

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Question 8.

If the answer to Question 7 is yes, please identify the docket number(s), the methods that were employed to measure the degree of risk and what magnitude of adjustment to return on equity was considered.

Answer 8.

See answer to question 7.