

**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

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”) requests the services of the Applied Public Policy Research Institute for Study and Evaluation (“APPRISE Inc.”) for expert technical services to specifically inform and advise OPC on matters concerning water affordability. These services are expressly needed in light of recent local legislation and regulatory changes that stand to greatly affect and impact water affordability in the District of Columbia.

3. **Estimated Fair and Reasonable Price**

The total contract (“not –to-exceed”) price is \$35,000.

4. **Facts That Justify a Sole Source Procurement**

- A. 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. 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.
- B. On December 18, 2018, the DC Council passed the *DC Water Consumer Protection Amendment Act of 2018*. The Bill was the culmination of years of efforts to improve the experience between DC Water and its customers frustrated with escalating water and sewer rates and charges attributed to critically needed infrastructure improvements and repairs. Effective April 11, 2019 the Bill became law. OPC is now authorized to directly assist DC Water ratepayers with service issues.
- C. APPRISE is a nonprofit research institute dedicated to collecting and analyzing data and information to assess and improve public programs. Their current research includes work for federal and state governments, agencies, utility companies, and nonprofit organizations.

APPRISE Inc. research focuses on programs that provide bill payment assistance, energy education, and energy efficiency services to low-income households; and programs that provide incentives for undertaking energy efficiency projects to residential, commercial, and industrial utility customers. The technical tasks covered in this procurement will include:

- Provide data analysis of low-income customer assistance program collection;
- Policy analysis on the impact of current and potential market changes in the water sector;
- Distributional analysis of current and potential water affordability of residential customers;
- Provide a comprehensive final report in which APPRISE Inc. will design and complete a report that furnishes OPC and other interested parties with a comprehensive understanding of the status of water affordability in the District, how each of the components of the regulatory landscape impact water affordability, and what options are available to the District to ensure that all households have access to clean and affordable water.

D. Given APPRISE Inc.'s expertise in energy affordability, they are uniquely qualified to support OPC in this effort. APPRISE Inc.'s staff have been conducting data analysis related to residential energy consumers and energy affordability programs to assess the impact of energy industry changes on affordability for more than 30 years. Their research experience includes analysis of survey and program data to assess the impact of energy affordability programs on energy burden, using performance measures to target energy burden reduction, and assessing the impact of changes to the energy industry, specifically with respect to energy affordability. APPRISE Inc. has also developed specialized knowledge and expertise of the District of Columbia's energy affordability programs, having conducted in-depth analysis of the impact of LIHEAP and ratepayer discount programs on the energy burden of low-income households.

Additionally, APPRISE Inc. is already under contract to provide OPC with an energy affordability study. They have agreed to provide the aforementioned water affordability study as an addendum to their original study and as such, have offered to provide the water affordability study at a reduced rate.

E. It is for the reasons outlined herein that it is recommended that a sole source contract be awarded to APPRISE Inc.

5. **Certification by the Contracting Officer**

I hereby certify that the above facts are accurate and complete.

Christopher K. Sellers
Contracting Officer

Date

Naunihal Gumer
Director, Regulatory Finance

Date

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.

Eric B. Scott, Esq.
Chief Operating Officer

Date

ⁱ Procurement authority is vested in the Commission pursuant to § 13(c) (2) of the Residential Real Property Seller Disclosure, Funeral Services Date Charge, and Public service Commission Independent Procurement Authority Act of 1998 (D.C. Law 12-263). The Commission is statutorily exempt from the D.C. procurement rules as set forth in D.C. Official Code § 1-1181 et seq.

D.C. Code § 34-804, hereby established within the Public Service Commission of the District of Columbia, as established by D.C. Code § 34-801, as Office to be known as the "Office of the People's Counsel." The Office shall be a party, as of right, in any investigation, valuation, revaluation, or proceeding of any nature by the Public Service Commission of or concerning a public utility operating in the District of Columbia.

15 D.C.M.R. § 3700: Public Utilities and Cable Television – Public Service Commission Rules of Practice and Procedure.