

**ADDENDUM 1
TO
RFP 473-25-00017
REQUEST FOR PROPOSALS FOR CONSULTING SERVICES RELATING TO
WILDFIRE MITIGATION PLANS**

Q: Our company provided communications consulting and stakeholder engagement services to Austin Energy for the Resource, Generation and Climate Protection Plan to 2035 that was adopted in December 2024. While our work on that initiative is completed, our contract is active until September 1, 2025. Would this relationship be considered a conflict of interest that would preclude us from working with the PUCT for the Wildfire Mitigation Plan project?

A: As stated in the RFP, the PUCT will determine whether a conflict of interest or an appearance of impropriety exists from the perspective of a reasonable person uninvolved in the matters covered by the resulting contract. The PUCT will make this determination based upon the specific information submitted by each Proposer. The Proposer's conflicts statement should identify *with specificity* any personal or business relationships of Proposer, including all employees and subcontractors of Proposer, with any electric, telecommunications, water, or sewer utility or any utility affiliate operating in Texas; any entity having a pending application at the PUCT to enter the Texas retail electric market, telecommunications market, water utility market, or sewer utility market; and any entity who would be required to submit a wildfire mitigation plan under House Bill 145 (89th R.S.). Based upon the Proposer's submission, the PUCT will determine whether a conflict or an appearance of impropriety exists. The PUCT will not speculate on this determination prior to the submission of the required conflicts statement in the proposal.

Q: Regarding stakeholder meetings described in the Statement of Work as part of the rulemaking process, does PUCT have any expectations regarding the following?

- the number of stakeholder meetings to be conducted;
- whether stakeholder meetings would be conducted virtually and/or in person;
- if in-person meetings, the geographic areas where these meetings would be conducted.

A: The PUCT does not anticipate holding more than three stakeholder meetings. The stakeholder meetings will either be virtual or in-person in Austin, Texas, most likely at the offices of the PUCT.

Q: Section 3.1 Can the PUCT provide any statistics on the number of public comments received during previous rulemakings in the past five years? This would help our firm estimate the level of effort associated with processing and responding to public comments on the rulemaking.

A: Of the past 26 rulemaking projects (from September 15, 2022, to present), the PUCT received a maximum of 39 comments; a minimum of 2 comments; a median of 14 comments; and an average of 16 comments per rulemaking project involving the electric industry. More

specifically, Proposers may wish to review Docket Numbers 51841 and 55250 (relating to electric service emergency operation plans and transmission and distribution systems resiliency plans) in the PUCT's Interchange system for rulemaking projects that are potentially representative of the type of rulemaking that is encompassed by this RFP. These dockets will contain comments received and proposals for adoption (including responses to comments). Further, the PUCT expects the rulemaking encompassed by this RFP to be highly collaborative with Staff. As such, Staff may retain primary responsibility for drafting responses to comments, while the selected Proposer assists with gathering, organizing, sorting, and charting responses to comments. Due to the time constraints required under House Bill 145 (89th R.S.), the PUCT cannot provide a specific timeline or division of labor for rulemaking duties, but Proposers should be aware of these time constraints when developing their proposals.

Q: Section 3.1 The SOW requires the contractor to "Prepare regulatory impact analyses and assess the potential economic, environmental, and social impacts of the rules as required by Texas statutes." Does the PUCT expect that the impact analysis will include an assessment of the rulemaking's impact on insurers of real property?

A: If the selected Proposer is required to prepare a regulatory impact analysis, the analysis must conform to the requirements of the Government Code Chapter 2001, as it relates to rule proposals, including, but not limited to §§ 2001.022 and 2001.0221. Due to the time constraints of House Bill 145 (89th R.S.), it is possible that PUCT Staff will be primarily responsible for preparing such analysis.

Q: Section 3.1 The SOW requires the contractor to "Facilitate and attend meetings with stakeholders and members of the public to ensure interested parties are properly informed and have an opportunity to participate in the rulemaking process." How many meetings should the contractor expect to facilitate, and in which locations?

A: The PUCT does not anticipate holding more than three stakeholder meetings. The stakeholder meetings will either be virtual or in-person in Austin, Texas, most likely at the offices of the PUCT.

Q: Section 3.1 The SOW requires the contractor to "Attend and lead discussions and make presentations in meetings and teleconferences with PUCT Staff, utilities, and other entities as necessary to fulfill the requirements of this Statement of Work."

- What is the expected frequency or number of these meetings?
- Will the meetings require travel? If so, to what locations

A: The PUCT does not anticipate holding more than three stakeholder meetings. The stakeholder meetings will either be virtual or in-person in Austin, Texas, most likely at the offices of the PUCT. Meetings with Staff will be on an as-needed basis and could be as frequently as daily or several times a week, depending upon Staff's need at the time and the work of the selected Proposer. Meetings with Staff will be conducted virtually or in-person at the offices of the PUCT in Austin, Texas.

Q: Section 3.1 The SOW requires the contractor to “Manage the receipt and evaluation of approximately up to 155 utility wildfire mitigation plan filings.” How did the PUCT establish 155 as the approximate number of expected wildfire mitigation plan filings?

A: This estimated number includes the number of transmission and distribution utilities, including municipally owned utilities and electric cooperatives, (collectively, “utilities”) to which the rules promulgated under House Bill 145 (89th R.S.) could potentially apply. However, depending upon the actual number of utilities that are determined to be in an area with an elevated wildfire risk, this number could be less.

Q: Section 6.A.5 requires bidders to provide references and states, “The PUCT prefers references from clients for whom the Proposer has performed similar work, including other state commissions or boards.” Can the PUCT provide more specific information about the specific consulting services that are of greatest interest in the references? Given the number of distinct functions required of the contractor (conduct research, facilitate public meetings, prepare rule text, evaluate wildfire mitigation plan filings, support contested case hearings, etc.), which consulting functions does the PUCT deem most essential, and therefore most pertinent as far as past performance?

A: Generally, references should provide independent verification of a Proposer’s skills, experience, and suitability for the required services of the RFP. The PUCT declines to further comment on the types of references that may be provided, other than to re-iterate that the PUCT prefers references from clients for whom the Proposer has performed similar work, including other state commissions or boards.

Q: Section 6.A.6 Regarding conflicts of interest, is it the opinion of the PUCT that the contractor (and any affiliated subcontractors or teaming partners) selected to perform this work will be ineligible to perform simultaneous work on behalf of any electric service provider in the State of Texas in the creation of a utility wildfire mitigation plan during the period of performance for Project #58243? While not specifically addressed in 6.A.6., we assume that the PUCT would deem any such simultaneous engagement to be a conflict of interest on the part of the contractor/subcontractor/teaming partner.

A: It is possible that the engagement described in this paragraph could constitute a conflict of interest. Depending upon the exact nature and extent of the engagement, the PUCT could require appropriate mitigation by the selected Proposer, such as imposing an ethical wall between personnel working on conflicting projects. It might also be necessary to prohibit such simultaneous work. Without knowing the specific circumstances of the scenario, the PUCT cannot speculate on whether an actual conflict of interest would exist, and if so, what mitigation actions would be required. Proposers should be aware, however, of paragraph 11.3. *Notice of Conflict* in Attachment A to the RFP, as it relates to this scenario.