

**DETERMINATION AND FINDINGS  
FOR  
SOLE SOURCE PROCUREMENT**

1. **Authorization**<sup>i</sup>

- DC Law: 34-804
- DC Law: 34-801
- 15 DCMR: §3700

2. **Minimum Need:**

The Office of the People's Counsel requests the services of Lawrence Thurston, Ph.D. to provide professional services necessary to prepare background information and serve as the policy witness for an upcoming legal proceeding.

3. **Estimated Fair and Reasonable Price:**

\$20,000.00

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

- A. The Office of the People's Counsel "OPC" is an independent agency of the District of Columbia government. By law, it is the advocate for consumers of natural gas, electric and telephone services in the District. District of Columbia law designates the Office as a party to all utility-related proceedings before the 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.

OPC needs a policy witness to prepare and review discovery issues and queries, review Verizon's data responses, respond to the company questions, and provide testimony. OPC is operating under time constraints and does not have the time required to procure these services through conventional procurement methods.

- B. Lawrence Thurston, Ph.D. is uniquely qualified to be the policy witness for this proceeding. Dr. Thurston, who once served nearly 20 years as the Economist with OPC, brings a wealth of institutional knowledge regarding OPC policy. Given the procedural schedule set forth in this proceeding, Dr. Thurston has the knowledge and relevant experience at OPC to effectively develop the legal requirements for discovery preparation,

conduct reviews and prepare responses. Also, Dr. Thurston's institutional experience – without delay affords OPC with professional credentials and proficiency to develop and participate in an OPC Post Hearing, and produce Post Hearing Reply briefs.

- C. It is for the reasons outlined herein that it is recommended that a sole source contract be awarded to Lawrence Thurston, Ph.D.

5. **Certification by the Contracting Officer:**

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

\_\_\_\_\_  
Frank G. Scott, Jr.  
Contracting Officer

\_\_\_\_\_  
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 DCMR §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.

\_\_\_\_\_  
Sandra Mattavous-Frye  
People's Counsel

\_\_\_\_\_  
Date

<sup>i</sup> Procurement authority is vested in the Commission pursuant to § 13 (c) (2) of the Residential Real Property Seller Disclosure, Funeral Services Date Change, 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.

DC Law: 34-804, hereby established within the Public Service Commission of the District of Columbia, has established by DC Law: 34-801, an 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 DCMR §3700: Public Utilities and Cable Television- Public Service Commission Rules of Practice and Procedure