

**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

1. **Authorization**ⁱ

- 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 Consultant Roxan A. Kerr, Esquire, who will assist the Office of the People's Counsel with the development and preparation of a comprehensive written guide for the handling of consumer complaints against utilities in the form of an OPC-specific written consumer complaint manual.

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

\$25,000.00

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. Attorney Kerr provides the research, analysis, writing and legal consulting services the Office urgently needs for the development and preparation of a utility consumer complaint manual to facilitate the effective handling of utility consumer complaints by OPC staff to satisfy immediate priorities in the current fiscal year.
- B. Attorney Roxan A. Kerr is a consultant who will assist the Office of the People's Counsel with research, analysis, writing and legal consulting services necessary to produce a comprehensive consumer complaint manual and has the necessary expertise in utility and advocacy law to

prepare an effective consumer complaint manual under an expeditious timeframe. Attorney Kerr has the unique and distinctive qualities that will enhance the readability and usefulness of the consumer complaint manual for non-legal OPC staff.

C. It is for the reasons outlined herein that it is recommended that a sole source contract be awarded to **Roxan A. Kerr**.

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.

Karen R. Sistrunk
Deputy People’s Counsel

Date

ⁱ 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