



State of West Virginia  
 Department of Administration  
 Purchasing Division  
 2019 Washington Street East  
 Post Office Box 50130  
 Charleston, WV 25305-0130

# Request for Quotation

RFQ NUMBER  
**PSC129076**

PAGE  
**1**

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
**FRANK WHITTAKER  
 304-558-2316**

VENDOR

\*211145801      304-766-2450  
**PAUL STEWART CONSULTING LLC**  
**506 17TH ST**  
  
**DUNBAR WV 25064**

SHIP TO

**PUBLIC SERVICE COMMISSION  
 OF WEST VIRGINIA  
 201 BROOKS STREET  
 CHARLESTON, WV  
 25301      340-0323**

DATE PRINTED <b>05/23/2012</b>	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: **06/14/2012**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		961-20		
<p><b>CONSULTING SERVICES</b></p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA PUBLIC SERVICE COMMISSION IS SOLICITING BIDS FOR AN OPEN-END CONTRACT TO PROVIDE THE AGENCY WITH CONSULTING SERVICES CONCERNING UTILITY FINANCE, UTILITY ACCOUNTING, REVENUE REQUIREMENTS, COST OF SERVICE, RATE DESIGN, AND REGIONAL ISSUES PER THE ATTACHED SPECIFICATIONS.</p> <p>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WV PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VIA FAX AT 304-558-4115 DEADLINE FOR ALL TECHNICAL QUESTIONS IS 06/04/2012 AT 4:30 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON ..... AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE</p>						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Paul Stewart</i>	TELEPHONE <b>304-766-2450</b>	DATE <b>05/30/2012</b>
TITLE <i>Principal</i>	FEIN <b>26 4383572</b>	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

**GENERAL TERMS & CONDITIONS**  
**REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)**

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
5. Payment may only be made after the delivery and acceptance of goods or services.
6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
12. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at [www.state.wv.us/admin/purchase/vrc/hipaa.html](http://www.state.wv.us/admin/purchase/vrc/hipaa.html) and is hereby made part of the agreement provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
14. **CONFIDENTIALITY:** The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.
15. **LICENSING:** Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
16. **ANTITRUST:** In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

**INSTRUCTIONS TO BIDDERS**

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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 Department of Administration  
 Purchasing Division  
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VENDOR

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**PAUL STEWART CONSULTING LLC  
 506 17TH ST  
 DUNBAR WV 25064**

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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
<b>05/23/2012</b>				

BID OPENING DATE: **06/14/2012**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>IN THIS CONTRACT DOCUMENT BY THE STATE OF WEST VIRGINIA, ITS AGENCIES, OR POLITICAL SUBDIVISIONS, THE TERMS, CONDITIONS, AND PRICING SET FORTH HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Paul P. Stewart</i>	TELEPHONE <b>304-766-2450</b>	DATE <b>05/30/2012</b>
TITLE <i>Principal</i>	FEIN <b>26-4383572</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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<p><b>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</b></p> <p><b>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</b></p> <p><b>REV. 01/17/2012</b></p> <p style="text-align: center;"><b>NOTICE</b></p> <p><b>A SIGNED BID MUST BE SUBMITTED TO:</b></p> <p style="text-align: center;"><b>DEPARTMENT OF ADMINISTRATION          PURCHASING DIVISION          BUILDING 15          2019 WASHINGTON STREET, EAST          CHARLESTON, WV 25305-0130</b></p> <p><b>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</b></p> <p><b>SEALED BID</b></p> <p><b>BUYER:</b>      <b>44</b></p>						

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				PSC129076		
				BID OPENING DATE:		06/14/2012
				BID OPENING TIME:		1:30 PM
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						
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CONTACT PERSON (PLEASE PRINT CLEARLY):						
-----						
***** THIS IS THE END OF RFQ PSC129076 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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TITLE <i>Principal</i>	FEIN <b>26-4383572</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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The Utilities Division of the Public Service Commission is looking for someone to advise them on a wide variety of issues, including utility finance, utility accounting, revenue requirements, cost of service, rate design and regional issues with emphasis on experience in complex cases before the Commission which are processed pursuant to statutory deadlines. The successful bidder must have the following qualifications, training and experience:

1. Ability to evaluate complex case issues that must be processed by the Commission. Shall have knowledge of Commission policy, Commission rules and regulations, and case history. Must have knowledge of prior cases and be able to research prior cases for consideration of cases that are pending before the Commission. Cases before the Commission include gas, electric, water, sewer, telephone and motor carrier. Shall perform evaluations and make process recommendations with regard to the Utilities Division's examinations of the financial books and records of utilities requesting rate changes, and certificates of convenience and necessity.
2. Shall have knowledge of theories, principles and practices in the area of assignment to provide expert case and policy recommendations to the Public Service Commission on behalf of the Utilities Division. Shall be able to evaluate adequacy of financial, managerial, operational control and process design, compliance with established policies, plans and procedures, the reliability of financial and operational data developed within the Utilities Division. Shall prepare reports and recommendations; and be prepared to testify to these findings in formal hearings before the Commission involving protestors and utility representatives. Shall have knowledge of the ratemaking processes and the rate structure of the various utilities. Shall advise the Utilities Division on the adequacy of financial, managerial, operational controls and process design. May conduct or direct special studies, project creation and administration.
3. Shall have working knowledge of issues pending or decided by the Federal Regulatory Energy Commission, the Federal Communications Commission and regional regulatory groups that evaluate FERC energy policy, regional electric market issues, regional transmission issues, wholesale electric and gas market issues, telecommunications policies and other issues that are of vital interest to West Virginia. These are issues that might be involved in a pending case that the successful vendor will be working on. May have to assist the Legal Division in intervention before federal regulatory agencies.

4. Shall have working knowledge of past and current issues related to Public Utility Regulatory Policies Act (PURPA) standards. Must be prepared to perform analyses required to make recommendations to the Commission with regard to the requirements of the Energy Independence and Security Act of 2007 and subsequent state and federal legislation dealing with energy efficiency, renewable portfolio standards and utility rate design. Again, these rules may need to be considered in any case before the Commission and the successful vendor should have a general knowledge of case precedents to understand how to proceed in ongoing cases before the Commission.
5. Shall be prepared to analyze national and regional energy markets, price levels and trends to determine impacts on West Virginia utilities and their customers. Shall have the ability to synthesize and evaluate complex financial and utility operational data and to submit written reports setting forth the results and findings.
6. Shall provide expert technical consultation and policy interpretation to the Utilities Division, attorneys, engineering, subordinates, public officials and advocacy groups.
7. Shall be prepared to analyze various electric demand side management and energy efficiency alternatives and initiatives in order to make recommendations to the Commission regarding program implementation.
8. Shall demonstrate an understanding of the work of the utility regulation division of the Public Service Commission; able to develop, plan, evaluate and implement complex and technical procedures established for the compilation of the analysis of utility financial and operations data.
9. Shall have a working knowledge of the agency's auditing programs and case processing guidelines.
10. May review progress of staff and answer questions on complex utility problems to assure the timely completion of all work assigned to the staff and review books and records of the utility company.
11. Shall have an understanding and working knowledge of the Public Service Commission Law; be prepared to work with Legal Staff on issues before Circuit Court or Supreme Court of Appeals.

12. Ability to work within strict timeframes/statutory deadlines. Ability to communicate effectively, orally and in writing.
13. Shall be prepared to address and make recommendations with regard to telecommunications issues such as Enhanced 9-1-1 services, Telephone Relay Services in West Virginia, Personal Communications Services, Statewide Addressing and Mapping Board, Abbreviated dialing code 211 for access to a statewide center, FCC policies, federal Universal Service Fund, West Virginia's tel-assistance program and The Telecommunications Act of 1996.
14. Must be prepared to address and make recommendations with respect to Motor Carrier issues before the Commission including Solid waste facilities, bulky goods collection issues, rates, quality of service for waste haulers, passenger carriers, household goods movers and, in some cases, wrecker rates and certification of these utilities.
15. Training: Masters of Business Administration, advanced degree in finance or economics, or Certified Public Accountant.
16. Experience: Ten years of full time or equivalent paid part time professional experience in a regulatory utility, utility regulatory agency, utility consultation or in accounting or auditing, eight years of which must have been in an administrative or supervisory capacity.
17. Provider will keep accurate time records of hours worked on projects and will be compensated on an hourly basis for actual hours of performance.
18. Providers will submit a statement detailing work performed and hours worked.
19. Provide References
20. Contract will be effective for one year with two one year renewals.



PSC129076  
BID SHEET

HOURLY RATE	ESTIMATED HRS	TOTAL
\$ 70.00	850 HRS.	\$ 59,500.00

The quantity listed above is an estimate for bidding purposes only.  
Actual quantity will vary based on the agency's need.  
This hourly rate shall be inclusive of all costs incurred.

RFQ No. PSC 129076

STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owned is an amount greater than one thousand dollars in the aggregate

**DEFINITIONS:**

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, Limited Liability Company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceed five percent of the total contract amount.

**EXCEPTION:** The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

Under penalty of law for false swearing (*West Virginia Code* §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

**WITNESS THE FOLLOWING SIGNATURE**

Vendor's Name: Paul Stewart Consulting, LLC

Authorized Signature: [Signature] Date: \_\_\_\_\_

State of WV

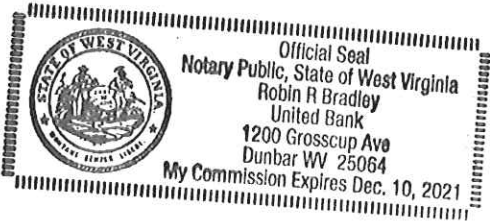
County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 30 day of May, 2012.

My Commission expires Dec. 10, 2021, 20  .

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]



# State of West Virginia VENDOR PREFERENCE CERTIFICATE

Certification and application\* is hereby made for Preference in accordance with *West Virginia Code*, §5A-3-37. (Does not apply to construction contracts). *West Virginia Code*, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

1.  **Application is made for 2.5% resident vendor preference for the reason checked:**  
 Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,  
 Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,  
 Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,
2.  **Application is made for 2.5% resident vendor preference for the reason checked:**  
 Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
3.  **Application is made for 2.5% resident vendor preference for the reason checked:**  
 Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
4.  **Application is made for 5% resident vendor preference for the reason checked:**  
 Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
5.  **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**  
 Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
6.  **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**  
 Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (*West Virginia Code*, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: Paul Stewart Consulting, LLC      Signed: Paul Stewart  
 Date: 05/30/2012      Title: Principal

\*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

**Responses:**

1. Ability to evaluate complex case issues that must be processed by the Commission. Shall have knowledge of Commission policy, Commission rules and regulations, and case history. Must have knowledge of prior cases and be able to research prior cases for consideration of cases that are pending before the Commission. Cases before the Commission include gas, electric, water, sewer, telephone and motor carrier. Shall perform evaluations and make process recommendations with regard to the Utilities Division's examinations of the financial books and records of utilities requesting rate changes, and certificates of convenience and necessity.

Response: Bidder, Paul Stewart, has thirty-eight years of experience performing analytical work within the Utilities Division of the Public Service Commission of West Virginia. Over the period of his career Bidder performed analyses and made recommendations in cases filed by gas, electric, water, sewer, and telephone utilities as well as regulated motor carriers and commercial solid waste facilities gaining a unique breadth of knowledge of PSC rules, regulations and utility practices. See attached resume.

2. Shall have knowledge of theories, principles and practices in the area of assignment to provide expert case and policy recommendations to the Public Service Commission on behalf of the Utilities Division. Shall be able to evaluate adequacy of financial, managerial, operational control and process design, compliance with established policies, plans and procedures, the reliability of financial and operational data developed within the Utilities Division. Shall prepare reports and

recommendations; and be prepared to testify to these findings in formal hearings before the Commission involving protestors and utility representatives. Shall have knowledge of the ratemaking processes and the rate structure of the various utilities. Shall advise the Utilities Division on the adequacy of financial, managerial, operational controls and process design. May conduct or direct special studies, project creation and administration.

Response: Bidder, Paul Stewart, has extensive experience reviewing and evaluating financial and other aspects of utilities practices with types of work performed ranging from conducting field audits of various types of regulated entities to performing cost of capital and class cost of service studies. Over the course of his career, Bidder gained extensive experience preparing written testimony and presenting expert witness testimony orally in various Public Service Commission hearings. Approximately 18 of Bidder's 38 years of experience was managing and supervising agency employees involved in conducting audits and performing financial analyses of various utilities' operations to assure that their work products were accurate and in compliance with Commission policy. See attached resume.

3. Shall have working knowledge of issues pending or decided by the Federal Regulatory Energy Commission, the Federal Communications Commission and regional regulatory groups that evaluate FERC energy policy, regional electric market issues, regional transmission issues, wholesale electric and gas market issues, telecommunications policies and other issues that are of vital interest to West Virginia. These are issues that might be involved in a pending case that the successful vendor will be working on. May have to assist the Legal Division in intervention before federal regulatory agencies.

Response: Bidder, Paul Stewart, has extensive experience working on natural gas and electric issues to include working with others to develop recommendations to the Commission with regard to impacts of federal rules and regulations as they relate to West Virginian utilities and their customers. Bidder, Paul Stewart, has worked frequently over the course of his 38-year career with staff attorneys to assist with financial aspects of various types of legal filings. See attached resume.

4. Shall have working knowledge of past and current issues related to Public Utility Regulatory Policies Act (PURPA) standards. Must be prepared to perform analyses required to make recommendations to the Commission with regard to the requirements of the Energy Independence and Security Act of 2007 and subsequent state and federal legislation dealing with energy efficiency, renewable portfolio standards and utility rate design. Again, these rules may need to be considered in any case before the Commission and the successful vendor should have a general knowledge of case precedents to understand how to proceed in ongoing cases before the Commission.

Response: Bidder, Paul Stewart, has extensive experience spanning nearly 20 years performing analyses and preparing recommendations and giving expert witness testimony before the Public Service Commission with regard to PURPA rate standards in response to the original requirements of the Act as well as subsequent changes mandated by Federal legislation. See attached resume.

5. Shall be prepared to analyze national and regional energy markets, price levels and trends to determine impacts on West Virginia utilities and their customers. Shall have the ability to synthesize and evaluate complex financial and utility operational

data and to submit written reports setting forth the results and findings.

Response: Bidder, Paul Stewart, has had extensive experience researching and analyzing national and regional utility and energy industry data from such sources as the Federal Energy Regulatory Commission, U.S. Department of Energy, National Regulatory Research Institute, etc. in the course of preparing written reports and recommendations to the Public Service Commission in various rate filings and general investigations. See attached resume.

6. Shall provide expert technical consultation and policy interpretation to the Utilities Division, attorneys, engineering, subordinates, public officials and advocacy groups.

Response: Bidder, Paul Stewart, has had extensive experience developing staff positions in wide variety of regulatory matters both internally within the Utilities Division and working collaboratively with staff members of other Divisions such as Legal and Engineering to develop joint staff positions. This experience includes training staff members within the Utilities Division and providing technical advice and consultation on various financial analyses and regulatory policy matters to personnel in other Divisions within the Commission such as Transportation and Water and Waste Water. See attached resume.

7. Shall be prepared to analyze various electric demand side management and energy efficiency alternatives and initiatives in order to make recommendations to the Commission regarding program implementation.

Response: Bidder, Paul Stewart, has been a member of the task force currently reviewing

various demand side management and energy efficiency options for the purpose of making program implementation recommendations for Appalachian Power to the Public Service Commission. Additionally, Bidder, Paul Stewart, has developed and presented the Utilities Division's recommendations with regard to these issues in the context of the Commission's general investigation proceedings as required by the Energy Policies Act of 2005. See attached resume.

8. Shall demonstrate an understanding of the work of the utility regulation division of the Public Service Commission; able to develop, plan, evaluate and implement complex and technical procedures established for the compilation of the analysis of utility financial and operations data.

Response: Bidder, Paul Stewart, has 38 years of experience analyzing complex financial and other utility data in the course of preparing case recommendations. This experience includes planning and supervising the work of subordinates engaged the analysis of utility financial data in order to develop staff recommendations in various rate and other matters before the Commission. See attached resume.

9. Shall have a working knowledge of the agency's auditing programs and case processing guidelines.

Response: Bidder, Paul Stewart, has 38 years of experience preparing and supervising the preparation of reports consistent with Public Service Commission policy and case processing guidelines. See attaché resume.



10. May review progress of staff and answer questions on complex utility problems to assure the timely completion of all work assigned to the staff and review books and records of the utility company.

Response: Bidder, Paul Stewart, has 18 years of active management and supervisory experience which involved answering questions with regard to issues involved in processing the assigned case load to assure timely completion of work by subordinates and other staff members. Bidder, Paul Stewart, actively trained and mentored other employees throughout much of his 38 year career.

11. Shall have an understanding and working knowledge of the Public Service Commission Law; be prepared to work with Legal Staff on issues before Circuit Court or Supreme Court of Appeals.

Response: Bidder, Paul Stewart, developed an understanding and working knowledge of Public Service Law over the course of his 38 year career with the Public Service Commission and frequently worked with staff attorneys in the preparation of various court filings.

12. Ability to work within strict timeframes/statutory deadlines. Ability to communicate effectively, orally and in writing.

Response: Bidder, Paul Stewart, has an established history of meeting strict timeframes/statutory deadlines and assuring that those working under his supervision did

so as well. Bidder, Paul Stewart, has extensive experience preparing financial reports and written testimony, and presenting testimony orally in Public Service Commission hearings and other venues. See attached resume.

13. Shall be prepared to address and make recommendations with regard to telecommunications issues such as Enhanced 9-1-1 services, Telephone Relay Services in West Virginia, Personal Communications Services, Statewide Addressing and Mapping Board, Abbreviated dialing code 211 for access to a statewide center, FCC policies, federal Universal Service Fund, West Virginia's tel-assistance program and The Telecommunications Act of 1996.

Response: Bidder, Paul Stewart, gained experience working with other staff members collaboratively and in a supervisory role to develop staff positions and to make recommendations to the Public Service Commission with regard to various telecommunications issues, including those listed above, during the conduct of his duties as a Utilities Analyst Manager and as Deputy Director of the Utilities Division.

14. Must be prepared to address and make recommendations with respect to Motor Carrier issues before the Commission including Solid waste facilities, bulky goods collection issues, rates, quality of service for waste haulers, passenger carriers, household goods movers and, in some cases, wrecker rates and certification of these utilities.

Response: During the period of December 1990 and September 2003, Bidder, Paul

Stewart, was the manager within the Utilities Division responsible for developing and implementing methods and methodologies for processing all filings involving regulated motor carriers and solid waste facilities by the Utilities Division. Bidder, Paul Stewart, was actively involved Transportation Division Attorneys in the development of rules and regulations relating to regulated motor carriers and solid waste facilities during that same period and extending into 2008. See attached resume.

15. Training: Masters of Business Administration, advanced degree in finance or economics, or Certified Public Accountant. Must provide with bid, copies of certification.

Response: Bidder, Paul Stewart, was awarded a Master of Business Administration degree by the West Virginia College of Graduate Studies in August 1979. See attached diploma and resume for full academic history.

16. Experience: Ten years of full time or equivalent paid part time professional experience in a regulatory utility, utility regulatory agency, utility consultation or in accounting or auditing, eight years of which must have been in an administrative or supervisory capacity. Bidder must list experience with bid page.

Response: Bidder, Paul Stewart, has 38 years of experience with the Public Service Commission, was a Utilities Analyst Manager within the Utilities Division from December 1990 through September 2003 and was Deputy Director of the Utilities Division from March 2003 through October 2008. Additionally, Bidder, Paul Stewart, provided case

related and training services to the Public Service Commission of West Virginia under contract from April 2009 through March 2012. See attached resume.

19. Provide references.

References:

Jack Hickok

Phone:

[Redacted]  
[Redacted]

[Redacted]

Franklin Crabtree

Phone:

[Redacted]  
[Redacted]

[Redacted]

Richard M. Allen

Phone:

[Redacted]  
[Redacted]

[Redacted]

**Paul P. Stewart (Paul Stewart Consulting, LLC)**

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PROFILE

Solid background in regulated utility rate and financial analysis, with strong experience in energy and motor carrier regulation. Experienced in auditing, rate of return/ cost of capital analysis, class cost of service and rate design, and general investigations.

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EXPERIENCE

**Paul Stewart Consulting, LLC** 2009 – 2012  
*Principal*  
*Provided technical case work under contract*

- Worked with staff to develop rate/cost analysis in general investigation of future power supply options for Wheeling Electric Power.
- Prepared class cost of service in large gas company rate case on behalf of staff.
- Prepared pre-filed testimony in large gas company rate case and trained staff in area of cash working capital studies.
- Prepared and presented testimony for proposed demand side management/energy efficiency program on behalf of staff.
- Prepared electric net metering rule comments on behalf of staff.
- Prepared pre-filed testimony in solid waste flow control filing on behalf of staff.
- Prepared case financial reports and provided one-on-one staff training in audit/report preparation.
- Performed research and prepared recommendations on behalf of staff in various matters.

**Public Service Commission of West Virginia** 2003 – 2008  
*Deputy Director, Utilities Division*

- In charge of day-to-day administrative operations of the Utilities Division which had 35 to 40 staff members; directly supervised two managers and four support personnel
- Reviewed all in-coming cases and made assignments to work units
- Was responsible for the new employee candidate review and interview process, and recommendations for hiring
- Participated in the development of staff positions in various rate and other cases, and participated in settlement negotiations
- Developed the Utilities Division's recommendations with regard Energy Policy Act of 2005 requirements relating to Net Metering, Interconnection, and Fuel Source Diversification and Renewable Portfolio Standards
- Developed the Utilities Division's Staff's recommendations to the Commission with regard to annual rate review and calculation procedures, participant eligibility and other program requirements in the matter of implementation of a weather normalization adjustment rate program for small natural gas utilities
- Performed analyses and prepared the Utilities Division's recommendations with regard to wind power purchase agreement filings
- Presented expert witness testimony in various matters before the Commission

**Public Service Commission of West Virginia** 1990 – 2003  
*Utilities Analyst Manager*

- Initially supervised a section within the Utilities Division comprised of approximately twelve utilities analysts and inspectors processing rate, certificate of need and other case filings made by

# WEST VIRGINIA COLLEGE OF GRADUATE STUDIES

UPON NOMINATION OF THE FACULTY CONFERS UPON

PAUL PADEN STEWART JR.

THE DEGREE OF

MASTER OF BUSINESS ADMINISTRATION

GIVEN UNDER THE SEAL OF THE WEST VIRGINIA BOARD OF REGENTS

AT CHARLESTON IN THE STATE OF WEST VIRGINIA,

ON THIS TENTH DAY OF AUGUST IN THE YEAR NINETEEN HUNDRED SEVENTY-NINE.



PRESIDENT OF THE BOARD OF REGENTS



CHANCELLOR OF THE BOARD OF REGENTS



PRESIDENT OF THE COLLEGE



DEAN OF THE FACULTY