



## Council Meeting Staff Report

March 21, 2018

**Agenda No.:** 6.C  
**Indexes (Council Goals):** BCC - N/A  
**Presenters:** Steve Cummins  
**Legislative File:** AGR0558-18

### Title

Approval of Amendment No. 4 to Services Agreement No. AGR 12-3838 with John & Hengerer in the Amount of \$100,000.00 for Revised Total Agreement Amount of \$395,000.00, plus Applicable Gross Receipts Tax for the Purpose of Providing Legal Services to the Incorporated County of Los Alamos Relating to Matters Pending Before the Federal Energy Regulatory Commission and/or Other Federal Agencies Involved in Energy Regulation

### Recommended Action

**I move that the Board of Public Utilities approve, Amendment No. 4 to Services Agreement No. AGR 12-3838 with John & Hengerer in the Amount of \$100,000.00 for Revised Total Agreement Amount of \$395,000.00, plus Applicable Gross Receipts Tax for the Purpose of Providing Legal Services to the Incorporated County of Los Alamos Relating to Matters Pending Before the Federal Energy Regulatory Commission and/or Other Federal Agencies Involved in Energy Regulation and forward to County Council for Approval.**

### Staff Recommendation

Staff and the County Attorney recommend that the Board approve the amendment as presented.

### Body

The John & Hengerer law firm continues to provide advice to the County, and represent the, County on matters pending before the Federal Energy Regulatory Commission associated with transmission issues. The County uses the John & Hengerer law firm each year during the PNM formula rate true up in accordance with the Formula Rate Case settlement in 2012. The County Attorney's office has reviewed this contract amendment and agrees that the continued use of the services of this firm is in the best interests of Los Alamos County.

### Alternatives

Acquire alternative Counsel to represent the County at the FERC proceedings.

### Fiscal and Staff Impact

The approved 2018 and 2019 budget will cover the estimated expenses associated with these proceedings.

### Attachments

A - AGR12-3838-A4