



## ***Appendix D***

# ***Detailed Instructions For Bidder Registration And Proposal Submission For Fall 2006 Request For Proposals (RFP) For Limited-Term Supply-Side Resources***

Entergy Services, Inc.  
October 24, 2006

The statements contained in this Appendix are made subject to the Reservation of Rights set forth in the RFP and subject to the terms and acknowledgements set forth in the Proposal Submission Agreement.

## Appendix D

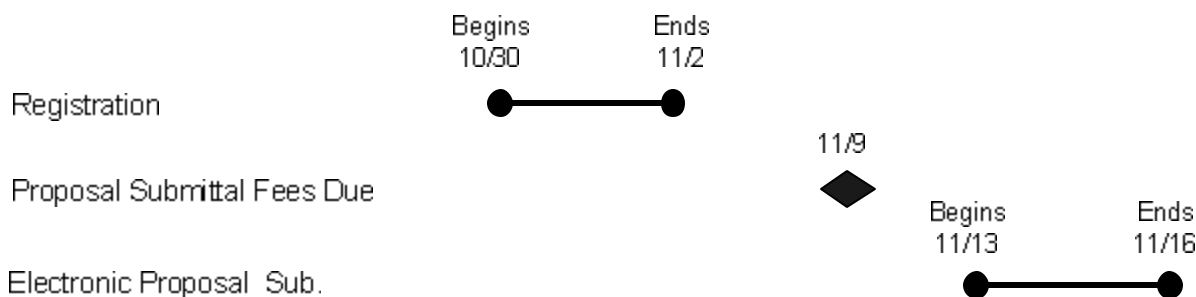
### Detailed Instructions for Bidder Registration and Proposal Submission

#### GENERAL INSTRUCTIONS

This Appendix D and each Product Package located in Appendix C contain detailed instructions to Bidders for responding to this Fall 2006 Limited-Term RFP. Prior to developing their proposals, Bidders are requested to carefully read the RFP, including the instructions in this Appendix D, in its entirety.

For further information on these instructions and the electronic proposal submission process, as well as other matters relating to this RFP, a Bidders' Conference will be held on September 11, 2006 at the Houston Airport Marriott at George Bush Intercontinental Airport located at 18700 John F. Kennedy Blvd., Houston, TX. Further information on the Bidders' Conference and Staff Technical Conferences is provided in Section 2.3 of the RFP. In addition, as further described in Section 2.5 of the RFP, Bidders were invited to submit any questions regarding the RFP, whether they arise before, during, or after the Bidders' Conference, in writing to the RFP Administrator.

#### 1. Bidder Registration



##### 1.1. Overview

ESI's principal objectives in designing the procedures that its employees and agents will follow in conducting the RFP process are to preserve, to the maximum extent practicable, the confidentiality of any commercially sensitive proposal information, including, but not limited to, Bidder identity, proposal pricing, and any other confidential terms and conditions, and to ensure that all proposals are treated in a consistent fashion and that no undue preference is provided to any Bidder, including Entergy Competitive Affiliates.

To support these objectives, ESI has developed an automated Bidder registration process. Each Bidder must submit an electronic Bidder Registration Form and associated Proposal Submittal Fee(s) by the specified deadline in order to be eligible to participate in this RFP solicitation process. This registration process is designed explicitly for the purposes of enabling the electronic submission of proposal documents by all Bidders, to do so in a way that enables ESI to track and evaluate information tied to a proposal

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without also disseminating to members of the RFP Evaluation Team information that explicitly identifies the Bidder.

Upon receipt of a completed Bidder Registration Form, each Bidder will be issued a unique Bidder Identification Number (“Bidder ID”), each proposal will be issued a unique Proposal Identification Number (“Proposal ID”) and each generating plant will be issued a unique Plant Identification Number (“Plant ID”) (explained in further detail in Section 1.5 below), each of which shall be utilized in the electronic proposal submission process. Then, each Bidder must execute the Bidder Registration Form and pay the required Proposal Submittal Fee(s) by the required deadline set forth herein.

Submitting a Bidder Registration Form does not commit a prospective Bidder to submitting an executed proposal in response to this RFP.

#### **1.2. Bidder Registration Form (Appendix B)**

The draft Bidder Registration Form (Appendix B) was available for review on the RFP Website on August 31, 2006. The final Bidder Registration Form will be available on the RFP Website on or about October 24, 2006.

Each Bidder must download this form and fill out all required fields in an electronic version of the form. In addition to providing Bidder identity and contact information, the Bidder will also be required to indicate the product type and each generating plant for which proposals will be submitted. Bidders who fail to submit a complete, electronic Bidder Registration Form and pay the required Proposal Submittal Fee per registered proposal by the deadline specified below will be precluded from the proposal submission process, because this form will be the sole means by which a Bidder receives a unique Bidder Identification Number and Proposal Identification Number(s), as further explained below. Additionally, Bidders will be precluded from submitting any proposals for any generating plants that were not registered in the Bidder Registration Form.

Bidders must correctly perform several steps to complete the Bidder Registration Form.

- ❖ Bidders must download the Bidder Registration Form from the RFP Website after the final RFP is posted on or about October 24, 2006.
- ❖ Bidders must complete the form and email it as an attachment to the RFP submission email address [ESIRFP@entergy.com](mailto:ESIRFP@entergy.com) (the “RFP Submission Email Address”) between 8:00 a.m. CPT on October 30, 2006 and 5:00 p.m. CPT on November 2, 2006. Please note that Microsoft Word macros must be enabled to properly complete the form.
- ❖ Bidders must provide their correct email address in the Bidder Registration Form. This address is the only means by which the Bidder can receive certain communications (*i.e.*, confirmations or rejections) from ESI during the RFP process.

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- ❖ Bidders should receive a confirmation/rejection email within 30 minutes of submitting the Bidder Registration Form. If no confirmation/rejection email is received, Bidders should check the email address that was submitted in the Bidder Registration Form.
- ❖ Please note, if a Bidder has selected “return receipt requested” (which is a feature of most email programs but is not a part of the RFP process) on its submission of the Bidder Registration Form, the Bidder may receive a notification that its email has been deleted. This notification should be ignored and, if the Bidder Registration Form was correctly completed, a confirmation email should be received shortly after the notification.
- ❖ Once Bidder has received the email confirmation, Bidder must execute the Bidder Registration Form and either email (electronic signature only) or fax the signed form per the instructions in the confirmation email no later than 5:00 p.m. CPT on November 2, 2006.

Bidders are strongly encouraged to submit their registration forms well in advance of the final deadline to provide adequate time to correct any errors which may be identified by ESI in the electronic registration process.

ESI will have an RFP “Hotline” available from October 30, 2006 to November 16, 2006, on Business Days from 8:00 a.m. to 5:00 p.m. CPT, to assist Bidders only with respect to **technical questions regarding the electronic registration or proposal submission process** (the “RFP Hotline”). The number for the RFP Hotline is (281) 297-3758.

Each Bidder must submit a properly completed electronic Bidder Registration Form between 8:00 a.m. CPT on October 30, 2006 and 5:00 p.m. CPT on November 2, 2006, via email to the RFP Submission Email Address. **Bidders shall bear the risk of failing to submit an acceptable registration form by the specified deadline. Bidders who submit their registration form within two hours of the specified deadline shall bear a substantial risk that, in the event of an error in their submission or a technical malfunction, they may not have enough time before the deadline to correct and resubmit an acceptable form. ESI shall be under no obligation to Bidders to accept any improperly completed registration forms.**

#### **1.3. Notification of Confirmation/Rejection of Bidder Registration**

If a Bidder attempts to submit a Bidder Registration Form without properly completing all fields designated as “required”, then the Bidder will receive an email indicating that the Bidder Registration Form has been rejected and such email will specify the missing or improperly completed fields. The Bidder will be permitted to submit a corrected Bidder Registration Form, as long as the properly completed form is received in electronic form by ESI no later than 5:00 p.m. CPT on November 2, 2006.

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Upon ESI's receipt of a completed Bidder Registration Form, each Bidder will receive an email confirming receipt and providing Bidder with identification numbers as described below. Upon receipt of a Bidder ID (as described below in more detail), each Bidder will be required to sign and fax the Bidder Registration Form per the instructions in the confirmation email. Bidder Registration is not complete until an executed Bidder Registration Form is received by the RFP Administrator no later than 5:00 p.m. CPT on November 2, 2006 and the required Proposal Submittal Fee(s) have been paid no later than 5:00 p.m. CPT on November 9, 2006.

#### **1.4. Proposal Submittal Fee**

Consistent with the provisions of the LPSC Market-Based Mechanism Order, ESI will require all Bidders to pay a proposal submittal fee ("Proposal Submittal Fee"), for each registered proposal. Within two (2) Business Days of receiving the executed Bidder Registration Form, ESI will invoice Bidder, by Proposal Identification Number, the Proposal Submittal Fee that is due for each registered proposal in the amount of \$1,000.00 for each registered proposal.

In an effort to accommodate resources that may have certain baseload generating requirements, in this RFP, ESI will allow Bidders to propose a generating resource as a combined baseload product with a must-take requirement and a call-option product offering dispatch flexibility by linking two product categories. The baseload portion should be offered as a Baseload Product (Product Package A) and the remaining Capacity offered may be offered as a call-option (Low Heat Rate MUCCO) (Product Package C). Pricing for this combination of products shall be \$1,000 per combined proposal.

Bidder will be required to remit wire payment(s) of the required Proposal Submittal Fee for each individual registered proposal by no later than 5:00 p.m. CPT on November 9, 2006 per the instructions in the invoice. **Failure to submit the Proposal Submittal Fee(s) by this deadline will cause the registered proposal(s) to be rejected as non-conforming and Bidder shall not be permitted to submit a Proposal Submission Form for such registered proposal(s).**

Proposal Submittal Fees will only be refunded to Bidders under the following circumstances:

1. Bidder registers a proposal and pays the Proposal Submittal Fee but does not submit a Proposal Submission Form for that registered proposal.
2. Bidder registers a proposal and pays the Proposal Submittal Fee but submits a non-conforming Proposal Submission Form for that registered proposal.

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3. Bidder registers a proposal, submits a properly completed Proposal Submission Form, but subsequently withdraws the proposal prior to the proposal submission deadline.

In accordance with the LPSC's Market-Based Mechanisms Order, the Proposal Submittal Fees will contribute towards funding the cost of the IMs. In the event that the cost of the IMs is less than the aggregate amount of the Proposal Submittal Fees collected by ESI, then such excess will be returned to the Bidders who have paid Proposal Submittal Fees prorated to the amount paid by each such Bidder. In the event that the cost of the IMs exceeds the aggregate amount of the Proposal Submittal Fees collected by ESI, then such shortfall shall be borne by ESI and not charged to or collected from Bidders.

#### **1.5. Issuance of Bidder ID, Proposal ID(s) and Plant ID(s) and if requested, a Signature Identification Number**

Each Bidder will receive a unique Bidder ID. Also, individual Proposal ID(s) will be issued for each proposal and unique Plant ID(s) will be issued for each generating plant indicated in the Bidder's Bidder Registration Form. These reference numbers, further described below, will be provided to Bidders in the return email indicating confirmation of receipt of their Bidder Registration Form.

The purpose of issuing a Bidder Identification Number to each Bidder is to attempt to provide a reasonable level of assurance of anonymity in order to maintain a fair and consistent evaluation process. The Bidder will be required to reference this Bidder ID in all proposals that the Bidder may submit. Each Bidder ID will be unique to each Bidder and will include the letter "B" followed by two numeric characters (*e.g.*, B12).

The purpose of issuing Proposal Identification Number(s) to each Bidder is similar to the Bidder ID, and provides the Process IM and the RFP Administrator with a clear process for segregating proposal types while providing a reasonable level of assurance of anonymity in order to maintain a fair and consistent evaluation process. The Bidder will be required to reference the individual Proposal ID assigned to each proposal that the Bidder may submit. Each Proposal ID will be unique to each proposal and will include the letter "P" followed by four numeric characters (*e.g.*, P1234).

A Plant Identification Number will be issued to each Bidder for each generating plant listed in the Bidder Registration Form (*e.g.*, if Bidder lists three generating plants in its Bidder Registration Form, three unique Plant IDs will be issued). The purpose of this process is to attempt to provide a reasonable level of assurance of anonymity in order to maintain a fair and consistent evaluation process. The Bidder will be required to reference this Plant ID in all proposals that the Bidder will submit for that particular generating plant. Each Plant ID will be unique to each generating plant and will include the letter "R" followed by three numeric characters (*e.g.*, R345).

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Note that the use of Bidder IDs, Proposal IDs and Plant IDs is part of ESI's attempt to ensure that appropriate protections are in place to minimize the dissemination of information that explicitly identifies Bidders to members of the RFP's Evaluation Team that do not need to know such information. As described further in Appendix G, while no process can ensure that the identity of the Bidders remains completely anonymous, the intention is to provide the maximum reasonably practicable level of assurance of anonymity in order to maintain a fair and consistent evaluation process.

If a Bidder desires to add any plants or proposals to the Bidder Registration Form prior to the deadline, the Bidder must add those plants and proposals below the previously registered plants and proposals and resubmit the revised Bidder Registration Form prior to the deadline; provided, however, that under no circumstances shall an individual Bidder have the right to submit more than ten (10) registered plants and twenty-five (25) registered proposals. Please note that any previously submitted Bidder Registration Forms are superseded by the last Bidder Registration Form that is confirmed as timely received by the RFP's automated system.

If the Bidder so requests in its Bidder Registration Form to be provided with a Signature Identification Number, a unique electronic Signature Identification Number will be issued to the Bidder. By using this Signature Identification Number in any electronic submission where a signature is required, the Bidder consents to the use of the Signature Identification Number as an electronic signature and agrees that the Signature Identification Number will have the same force and effect as a handwritten signature, as permitted under the Electronic Signatures in Global and National Commerce, U.S.C. §§ 7001 -7003. The Signature Identification Number will include the letter "S" followed by four numeric characters (*e.g.*, S6789). In the event the Bidder elects not to request an electronic Signature Identification Number for use in this RFP, the Bidder is still required to submit its proposal electronically but may use a facsimile signature or .pdf signature or other electronically-submitted handwritten ("wet") signature of its authorized representative where a signature is required, which submission should be followed by an original, hard copy of the executed document comprising such submission to the RFP Administrator.

## **2. Proposal Submission Process**

Each proposal must be submitted electronically via email as directed below. Electronic proposal submission and processing has been implemented to simplify the proposal submission process for Bidders and to help streamline the RFP process and make more efficient the means to support all efforts to ensure that all proposals are consistently, accurately and thoroughly evaluated by the RFP Evaluation Team. The electronic proposal submission procedures are further described below. Bidders should not send, and the RFP Administrator will not accept, paper copies of electronic proposals.

Section 1.5 of the Fall 2006 RFP provides a summary description of each type of product for which proposals are being requested by this Fall 2006 RFP. Bidders may

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submit a proposal for a single product, an additional proposal for each additional product, and alternate proposals for each product, by reviewing the applicable Term Sheets and completing the forms in the Product Package that correspond to each product for which the Bidder desires to submit a proposal; however, each additional or alternate proposal will be assessed a Proposal Submittal Fee. In the event that a Bidder wishes to provide multiple proposals for the same capacity, the Bidder must clarify in the “Special Considerations” section of the completed Proposal Submission Forms of each proposal that such proposals are mutually exclusive and it is possible for only one of the proposals to be selected by ESI. Bidders may also link the Baseload Product and Low Heat Rate MUCCO product as a combination product as mentioned above in the Proposal Submittal Fee section. Although Bidders will pay only one Proposal Submittal Fee for each combined product, Bidder must submit two proposal forms (Product Package A and Product Package C), each with their own unique Proposal ID.

#### **2.1. Joint Proposals**

ESI is making every reasonable effort to maximize fair and impartial competition and prevent or avoid collusion by any parties in this RFP process. Proposals determined by ESI, in its sole discretion, to have been made with the intent or effect of creating artificial prices, terms, or conditions will be rejected. Bidders are prohibited from disclosing the fact of, or terms and conditions of, any proposal that the Bidder intends or expects to submit in response to the RFP to any other Person, except as provided in Section 2.9 of the RFP, and is prohibited from other action in concert with other Persons with respect to a potential proposal for this RFP process, except for the purpose of jointly developing a proposal, and in such cases, only after prior written notification to the RFP Administrator of an intent to make such disclosures or otherwise act in concert. Such notification to the RFP Administrator shall include the identities of, and background information concerning, the Persons to which such disclosures might be made, and shall include a description of the disclosures and/or actions in concert that are contemplated.

#### **2.2. Proposal Submission Forms**

Appendix C includes separate Product Packages for each type of product for which ESI is seeking proposals in response to this Fall 2006 RFP. Each Product Package contains the Proposal Submission Form that must be completed and submitted, and instructions for completing the form in order to submit a conforming proposal for the product to which it relates, as well as a Term Sheet for that product that summarizes basic terms and conditions and certain information requirements for the product. Each Bidder is encouraged to carefully review the relevant Term Sheet and Model Contract for each product the Bidder intends to offer. The Term Sheets establish certain key terms and requirements for each product and along with the Proposal Submission Form outline a significant portion of the information to be provided in any proposal offering the product.

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The electronic Proposal Submission Forms contain fields for providing all of the information requested by the Term Sheets as well as certain additional information.

Electronic Proposal Submission Forms must be downloaded from the RFP Website after the final RFP is posted on or about October 24, 2006. Each form will be available in protected Microsoft Word format. Please note that Microsoft Word macros must be enabled to properly complete the form. Bidders are required to use the Proposal Submission Forms in Appendix C to submit their proposals. Adherence to the provided forms will facilitate the RFP Evaluation Team's comparison and evaluation of the proposals. Bidders must complete the electronic Proposal Submission Form in the applicable Product Package for each proposal it submits.

Bidders must submit a proposal for each product they choose to offer in response to the RFP. For each proposal, the Bidder must identify on the appropriate form the type of product the proposal is offering. The Bidder must complete the appropriate forms in their entirety. Using the forms is intended to ensure consistency in proposal submission and consistency in proposal interpretation by the RFP Evaluation Team.

#### **2.3. Instructions**

There are several fields within the Proposal Submission Forms which are required to be completed, and will be indicated as such in the Proposal Submission Forms. Other information may be requested – but is not required – of Bidders. Should a Bidder attempt to submit a proposal without properly completing all fields designated as required, then the Bidder will receive an email indicating that the proposal has been rejected and specifying the missing or improperly completed field, as further explained in Section 2.4 below. If a Bidder believes that a particular requested disclosure is not applicable to the Bidder's proposal and the Bidder intends to omit that disclosure, then the Bidder should indicate "N/A" in the space provided for such disclosure and address in the "Special Considerations" section of the Proposal Submission Form why the Bidder believes the disclosure is not applicable.

Each Bidder must reference its own unique Bidder ID, the appropriate Proposal ID and the appropriate Plant ID in all electronic Proposal Submission Forms associated with that Bidder's proposals. The Bidder ID, Proposal ID and Plant ID reference numbers, which will be issued during the Bidder Registration process which concludes prior to the proposal submission period, as well as payment of the Proposal Submission Fee(s), are required in order for the Bidder to be eligible to participate in the RFP proposal submission process.

Bidders must provide their correct email address in the Proposal Submission Form. This address is the only means by which the Bidder can receive RFP-related communications (*i.e.*, confirmations or rejections) during the RFP process.

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All proposals must be submitted in accordance with the detailed instructions and on the applicable form(s) provided in the Product Packages in Appendix C and must be signed by an officer (or similarly situated representative) of the Bidder duly authorized to act on behalf of the Bidder by the Bidder's board of directors (or similar governing body for an unincorporated Bidder). The failure of the Bidder to submit a proposal on the requisite forms will be a cause for rejection of the proposal.

Proposals will only be accepted between 8:00 a.m. CPT on November 13, 2006 until 5:00 p.m. CPT on November 16, 2006, and must be submitted as a Microsoft Word attachment via electronic mail during that period to the RFP Submission Email Address: [ESIRFP@entergy.com](mailto:ESIRFP@entergy.com).

#### **2.4. Notification of Confirmation/Rejection of Proposal Submission Form**

Bidders will be notified via email shortly after submittal whether each proposal submitted was rejected or confirmed as received by ESI. Please note, if a Bidder has selected "return receipt requested" (which is a feature of most email programs but is not a part of the RFP process) on its submission of the proposal, the Bidder may receive a notification that its email has been deleted. This notification should be ignored and, if the proposal was correctly completed, a confirmation email should be received shortly after the notification. Proposals that are not properly completed will be automatically rejected and an email notification will be provided to Bidders indicating the reason the proposal was rejected. Bidders may contact the RFP Hotline for technical assistance. **Bidders are strongly encouraged to submit their proposals well in advance of the deadline to provide adequate time to correct any errors which may be identified by ESI in the electronic proposal submission process.**

Bidders should receive a confirmation email within 30 minutes of submitting the Proposal Submission Form. If no confirmation email is received, Bidders should check the email address that was submitted in the Proposal Submission Form.

Bidders will be permitted to correct and resubmit previously rejected Proposal Submission Forms up to 5:00 p.m. CPT on November 16, 2006. Any proposals received after the deadline or those sent to another electronic mail address will be considered non-conforming and will be rejected. **Bidders shall bear the risk of failing to submit an acceptable proposal form by the specified deadline. Bidders who submit their proposal form within two hours of the specified deadline shall bear a substantial risk that, in the event of an error in their submission or a technical malfunction, they may not have enough time before the deadline to correct and resubmit an acceptable form. ESI shall be under no obligation to Bidders to accept any improperly completed proposal forms.**

If the Bidder did not select the electronic signature option during the Bidder registration process, the Bidder must either fax or email a .pdf version of the executed

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signature page (and only the signature page) of each proposal to the RFP Administrator as per the instructions in the confirmation email by no later than 5:00 p.m. CPT on November 16, 2006. If the entire proposal is received by fax, it will be discarded and not reviewed.

2.5. Process for Proposal Withdrawal

If during the proposal submission period, a Bidder desires to withdraw a proposal or desires to substitute a proposal which was confirmed as received by the RFP's automated system, then such Bidder will be permitted to do so by completing the applicable withdrawal form letter (the "Proposal Withdrawal Form") attached hereto as Attachment D-1, and submitting the same via facsimile transmission to the RFP Administrator at (281) 297-3937 by no later than the proposal submission deadline. If another proposal is intended to substitute for the withdrawn proposal, the process of withdrawing a proposal and submitting a new one must be completed by no later than 5:00 p.m. CPT on November 16, 2006.

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FALL 2006 LIMITED-TERM RFP – October 24, 2006

Attachment D-1  
PROPOSAL WITHDRAWAL FORM

[Insert Date]

Entergy Services, Inc.  
Attn: Ms. Laura Berryman, ESI RFP Administrator  
Sent via facsimile transmission to: (281) 297-3937

Re: Bidder Name: \_\_\_\_\_  
Bidder ID: \_\_\_\_\_  
Proposal ID: \_\_\_\_\_

Dear Ms. Berryman:

By this letter, please be advised that Bidder is withdrawing the above-referenced proposal from consideration in Entergy Services, Inc.'s Fall 2006 Request for Proposals for Limited-Term Supply-Side Resources ("Fall 2006 RFP"). Bidder confirms that the above-referenced proposal was submitted electronically in response to the Fall 2006 RFP between the dates of November 13, 2006 and November 16, 2006, and is withdrawing said proposal BEFORE November 16, 2006 at 5:00 p.m. CPT, which time is the deadline for receipt of proposals in the Fall 2006 RFP.

Regards,

\_\_\_\_\_  
*Signature of Authorized Representative of Bidder*

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Date of Signature*

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