

Large Generator Interconnection Procedures Dispute Resolution Process

BPA Transmission Business Practice

Version 1

6/30/2024

Large Generator Interconnection Procedures

Dispute Resolution Process

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This business practice describes the dispute process under BPA’s Standard Large Generator Interconnection Procedures (LGIP).

BPA Policy References

- [Open Access Transmission Tariff \(OATT\)](#): Attachment L: Sections 3.7, 4.2.4; 13.5, 13.5.1; Attachment R

For more information, visit the [BPA Transmission Business Practice webpage](#) or submit questions to techforum@bpa.gov.

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A. Dispute Initiation

1. To initiate a dispute or assert a claim related to any performance, action, or outcome in connection with the LGIP and Attachment R, Interconnection Customer must send its assigned Transmission Account Executive an email or other written notice of the specific dispute or claim.
 - a. To dispute a billed charge prior to making payment, Interconnection Customer must send its assigned Transmission Account Executive an email or other written notice indicating that Interconnection Customer is disputing a charge.
 - b. Interconnection Customer must continue to meet the applicable requirements of the LGIP, Attachment R, and any applicable business practice until BPA has made a final determination consistent with Section B.4.
2. The email or other written notice should provide the following information, to the extent known by Interconnection Customer, to support the dispute or claim:

- a. The Queue Position number of the Interconnection Request under which Interconnection Customer is submitting the dispute.
 - b. Identification of the performance, action or outcome that is being disputed.
 - c. An explanation of the basis for the dispute.
 - d. Any supporting documentation for the dispute.
 - e. Identification of the outcome or decision that Interconnection Customer is seeking.
3. Upon receipt of the email or other written notice from Interconnection Customer containing the information described in Section A.2, Interconnection Customer's assigned Transmission Account Executive will respond with confirmation of receipt of Interconnection Customer's Notice of Dispute as soon as practical.
 4. BPA and Interconnection Customer will make reasonable efforts to identify and provide additional information related to the dispute as may be reasonably needed for the purposes of evaluating Interconnection Customer's dispute.
 5. Interconnection Customer must initiate a dispute or claim within 15 Business Days of the action leading to the initiation of the dispute. For example, to maintain a dispute, Interconnection Customer would need to provide a Notice of Dispute within 15 Business Days of receipt of a deficiency cure notice issued under Section 3.7 of the LGIP or other deliverables/responses received throughout the LGIP process.

B. BPA Dispute Evaluation and Determination

1. Consistent with Section 13.5 of the LGIP, following the initiation of a dispute by Interconnection Customer, BPA will arrange, at Interconnection Customer's request, a meeting with a BPA designated senior representative and a designated senior representative of Interconnection Customer to discuss the dispute as promptly as practicable. Multiple meetings may be arranged, as needed.
2. BPA will endeavor to evaluate the merits of the dispute and resolve the dispute within 30 Calendar Days of the date the dispute was recognized in accordance with Section A.3.
3. If BPA cannot complete the dispute evaluation within 30 Calendar Days, then BPA will provide periodic progress updates and an estimated timeline.
 - a. If Interconnection Customer agrees to the estimated timeline, then BPA will continue the evaluation as planned.
 - b. If Interconnection Customer does not agree to the estimated timeline, then Interconnection Customer may seek to make use of the additional dispute resolution procedures outlined in Section 13.5 of the LGIP.
4. Once BPA completes the evaluation, the Transmission Account Executive will notify Interconnection Customer in writing of BPA's final decision regarding the dispute along with any additional explanation of the final decision as BPA may deem necessary or appropriate.
 - a. If Interconnection Customer does not agree to BPA's final decision, then Interconnection Customer may seek to make use of the additional dispute resolution procedures outlined in Section 13.5 of the LGIP.

C. Dispute Resolution Impact on Queue Position

1. If an Interconnection Customer raises a dispute under Section 3.7 of the LGIP and the outcome of the Dispute Resolution is in Interconnection Customer's favor, then the Queue Position associated with the Interconnection Request in dispute, if previously withdrawn, would be restored in the current Cluster Study unless BPA determines restoring the Queue Position in the current Cluster Study would delay the current cluster study process.
2. If BPA determines that restoring the Queue Position in the current Cluster Study would delay the Cluster Study process, the Queue Position would be restored in the next Cluster Study and may be used for priority placement within a Scalable Plan Block, consistent with Section 4.2.4 of the LGIP.
3. BPA will make best efforts to avoid Interconnection Customer being delayed to the next Cluster Study.

D. Disputes Involving Funds or Deposits

1. BPA will continue to retain the funds or deposits until resolution of the dispute.
2. Interconnection Customer may not withhold funds owed to BPA to offset funds or deposits in dispute that were previously paid by Interconnection Customer.
3. Once a resolution to the dispute has been reached, BPA will disburse funds to or collect funds from Interconnection Customer consistent with the final decision, the LGIP, and applicable BPA generator interconnection business practices.