



Department of Energy
Bonneville Power Administration
P.O. Box 3621
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Date: September 30, 2026

BPA Recall Contract Provision (when BPA sells extra-regional energy)

The 1964 Pacific Northwest Regional Preference Act authorizes BPA to sell energy outside the region if it is surplus to BPA's need to serve its firm regional load requirements. However, all BPA sales for use outside the Pacific Northwest are subject to the provisions of Public Law 88-552 and Section 9(c) of Public Law 96-501.

These statutes require that any contract for the sale or exchange of surplus outside the Northwest shall give BPA the right to curtail a portion of, or terminate all of: (a) the capacity associated with a surplus firm peaking capacity sale with **60 months' written notice**; or (b) the energy associated with a surplus energy sale with **60-day written notice**, if such capacity and/or energy is needed to meet the capacity and/or energy requirements in the Pacific Northwest. When BPA sells power to an entity outside of the Pacific Northwest, and the delivery of that sale spans more than 60 days from the transaction date, Federal law requires BPA to include recall provisions in its contract language.

Such curtailments under this provision shall be limited to the amounts and duration necessary to cover projected Pacific Northwest needs. The schedule of capacity and/or energy shall continue in months when capacity and/or energy is not needed by the Pacific Northwest region as determined by BPA. These provisions are set forth in 16 U.S.C. S 837b(a) and 837b(c) and reiterated in 16 U.S.C. 839t(c).

BPA has never called on this curtailment provision and intends to never call on this provision. Nevertheless, when BPA sells to entities outside of the Pacific Northwest, the sale is still subject to these provisions, and notification of these provisions is required.

Sincerely,

**ASHLEY
DONAHOO**

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