

October 21, 2026

Bonneville Power Administration
905 NW 11th Ave.
Portland, OR 97232

Submitted Electronically: post-2028@bpa.gov

Re: 5(b)/9(c) Policy Workshop #1

Public Utility District No. 2 of Grant County (“Grant PUD”) appreciates the opportunity to submit these comments regarding Bonneville Power Administration’s (“BPA”) process for determining potential updates to BPA’s 2009 Revised Policy on Determining Net Requirements of Pacific Northwest Utility Customers Under Sections 5(b)(1) and 9(c) of the Northwest Power Act (“5(b)/9(c) Policy”).

BPA has proposed three possible policy issues to address: (i) the transfer and recall rights of a 5(b)(1)(A) resource; (ii) increases in output or capability from improvements or upgrades to a resource; and (iii) increases to a customer’s right to a resource from relicensing by the Federal Energy Regulatory Commission (“FERC”). Grant PUD respectfully recommends that BPA not reopen the 5(b)/9(c) Policy to address these issues at this time. The issues are either directly or indirectly addressed in pending litigation between Grant PUD and BPA, and are likely better addressed following resolution of that litigation (if at all). To proceed otherwise may create unnecessary tension between the judicial and administrative processes, potentially requiring additional processes to unwind.

To the extent BPA wishes only to update terminology in the 5(b)/9(c) Policy to align with the Provider of Choice (“POC”) and Public Rate Design Methodology (“PRDM”), that intention is reasonable but again may be best addressed after the resolution of litigation that addresses the current 5(b)/9(c) Policy.

Grant PUD appreciates BPA’s consideration of these comments.

Sincerely,



Dawn Van Diest
Attorney
dvandiest@gcpud.org