

April 22, 2026

Submitted via email to [communications@bpa.gov](mailto:communications@bpa.gov)

**Re: Bonneville’s April 13, 2026, Public Involvement Policy Workshop**

Northwest Requirements Utilities (“NRU”) appreciates the opportunity to provide the following comments in response to BPA’s April 13 Public Involvement Policy Workshop. NRU represents the interests of 57 Load-Following preference customers and one generation and transmission cooperative, comprising roughly 36% of BPA’s Tier 1 load.

As a general matter, NRU supports many of the proposed changes described at last week’s Workshop. That said, we write today to flag several issues of continuing concern that NRU respectfully urges BPA to address in the forthcoming draft policy.

**I. The Updated Policy Must Address Situations Where BPA Is Not the Sole Decision-Maker**

NRU’s most significant concern remains unresolved following the most recent Workshop. As both NRU and PPC noted in our respective February 11 post-workshop comments, the updated Policy must address situations in which BPA is party to a negotiation, settlement, or other process that could result in a significant financial commitment, even — perhaps especially — where BPA is not the sole decision-maker. The December 14, 2023, Memorandum of Understanding tells the requisite cautionary tale: there, BPA engaged constructively in a process that resulted in its commitment to operational and financial obligations with hundreds of millions of dollars in consequences for preference customers without first affording those customers a meaningful opportunity for public engagement. That outcome is precisely what a robust Policy for Public Involvement should provide BPA and the Administrator with the tools to prevent.

More specifically, NRU urges BPA to include a provision in the draft policy establishing that, whenever BPA reasonably anticipates that participation in a process — whether a federal proceeding, multi-agency negotiation, settlement discussion, or otherwise — could result in a commitment with significant financial or operational implications for preference customers, BPA will proactively seek to ensure those customers have a meaningful opportunity for constructive engagement. NRU understands that there may be procedural, confidentiality-related, or legal limitations in some circumstances, and isn’t suggesting this Policy should prevent or otherwise

circumvent BPA's participation as appropriate. However, where the process is controlled by another party and BPA cannot unilaterally provide such an opportunity, BPA should formally request that its preference customers be permitted to participate. Indeed, the intent behind the policy should be two-fold: first, to provide customers with assurance and clarity regarding opportunities for public involvement, and second, to provide BPA with the ability — grounded in both policy and statute — to push back on any attempt to engage the agency in a process that might result in the significant obligation of ratepayer dollars, without first affording those same opportunities. Additionally, NRU agrees with PPC that exploring a financial threshold for triggering this requirement should be a focus of the Policy review. A clear, workable threshold would provide both BPA staff and customers with the predictability and accountability sought going forward.

## **II. The Background and Explanation of Policy Sections Should Be Incorporated into the Policy Itself**

In its February comments, NRU urged that BPA's updated Policy reflect and reinforce the statutory grounding of the original 1986 Policy, specifically, the obligations imposed by Section 4(g)(1) and (2) of the Northwest Power Act ("NWPAct"). As a result, we were concerned to hear at the latest Workshop that BPA views Sections I (Background) and III (Explanation of Policy) of the current Policy as merely supplemental documents that are "not part of the actual policy." While NRU appreciates BPA's commitment to reviewing whether any of that language should be incorporated into the draft policy, NRU respectfully submits that exposition is often necessary in any standalone policy to ensure the reader has the proper context. This Policy for Public Involvement should be no exception.

The Background and Explanation of Policy sections serve an important interpretive function: they explain why the Policy exists, what it is intended to accomplish, and both when and how it should be applied. Relegating this context to a separate, non-binding document risks allowing future decision-makers to apply the Policy in ways that are untethered from its statutory foundation and original purpose. Worse still, as with the Policy today, absent such context it may simply be ignored. NRU therefore requests that the draft policy incorporate the substance of those sections, including the NWPAct's mandate and the Agency's historical commitment to meaningful customer engagement, into the policy text itself.

## **III. Definitions: Discretion Over Informal Comments Should Have Clear Limits**

NRU supports BPA's proposal to define "formal" and "informal" comment processes and to clarify how each will be used. However, NRU is concerned by BPA's statement that it will "retain discretion and flexibility around use of, timing for, and public availability of informal feedback." Broad, unconstrained discretion over informal processes could, in practice, allow BPA to rely on informal engagement in lieu of formal processes for decisions that warrant a

higher standard of accountability. NRU requests that the draft policy establish minimum guardrails. For example, a requirement that BPA clearly articulate, at the outset of any informal process, the scope of the matter, the deadline for feedback, how feedback will be used, and whether it will be made publicly available. NRU submits that informal processes should supplement, not substitute for, formal engagement on matters that rise to the level of major regional power policy.

#### **IV. Conclusion**

NRU appreciates the positive steps BPA has proposed: the commitment to retain the 30-day formal comment period, the update to the Notice of Intent to identify policies being replaced or supplemented, and the proposed modernization of external engagement notification. Additionally, we would once again like to express our appreciation for BPA's impressive track record when it comes to providing opportunities for public process and engagement. To reiterate, our purpose in requesting this policy update stems from a desire to ensure clarity and accountability in the future.

NRU looks forward to reviewing the draft policy when it is published next month. In the meantime, we feel compelled to reiterate our core request: the updated Policy must close the gap identified by the December 2023 MOU and ensure that preference customers have a meaningful, predictable, and enforceable right to be heard before BPA makes commitments with significant consequences for their rates and service.

Thank you again for the opportunity to provide these comments and for your continued attention to this important matter.

Sincerely,

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Northwest Requirements Utilities