



April 10, 2026

Bonneville Power Administration
905 NE 11th Ave
Portland, OR 97232

Submitted via TechForum

Re: Alliance of Western Energy Consumers’ Comments on TC-27 March 18-19, 2026 Workshop

The Alliance of Western Energy Consumers (“AWEC”) appreciates the opportunity to provide comments on Bonneville Power Administration’s (“BPA” or “Agency”) March 18-19, 2026 TC-27 pre-proceeding workshop, wherein BPA Staff presented Staff leanings for the Transition Business Model. AWEC is a trade organization whose members include many of the Region’s largest employers and consumers of electricity and natural gas. AWEC’s members are responsible for providing tens of thousands of highly paid, technical, family-wage jobs across a broad range of industry sectors such as agriculture, aeronautics, air products, metals, pulp and paper, and more. As such, AWEC’s members provide significant economic benefits to the communities in which they are located. AWEC’s members are also significant consumers of electricity and include loads designated as Contracted For, Committed To (“CF/CT”) as well as New Large Single Loads (“NLSLs”). They take service from both public power customers of BPA as well as regulated investor-owned utilities who purchase transmission services from BPA. AWEC members’ host utilities take both Network Integration Transmission Service (“NITS”) and Point to Point (“PTP”) service products from BPA Transmission. Given the energy-intensive nature of many industrial processes, AWEC members are focused on both costs associated with electricity service, including transmission, and reliability.

AWEC appreciates BPA’s effort to comprehensively address its transmission queue, informed by stakeholder perspective and feedback, and dedication to establish both a transition plan and a long-term plan for providing firm transmission service to customers. AWEC also appreciates that, for NITS customers, if capacity is available, “the request will be encumbered and not require a commercial study or plan of service.”¹ AWEC continues to support principled and legally sound options that allow BPA to begin processing transmission service requests as soon as practicable while ensuring that BPA meets preference customers’ statutory rights to delivered power. However, consistent with AWEC’s position in prior comments, it has concerns with the establishment of a Non-Trended Load Growth (“NTLG”) Policy applicable to a subset of NT loads.

¹ Bonneville Power Administration, *TC-27 Pre-Proceeding Workshop* at 19 (Mar. 18-19, 2026).

NITS: Non-Trended Load Growth Policy

BPA Staff’s leaning, consistent with its December 2025 and January 2026 workshops, is to establish NTLG Policy for NITS that would draw a “line” between trended and non-trended load growth at 13 MW per facility, as indicated by a LaRC forecast. “Above the line” facilities could be subject to a permanent non-trended load growth facility designation, triggering commercial planning requirements and resulting in potential delays in obtaining firm transmission service and conditional firm service offerings that meaningfully differ from PTP conditional firm product offerings. Loads “below the line,” including all residential, commercial and small industrial loads, regardless of aggregate load growth, would remain subject to System Assessment and exempt from commercial planning requirements. This would apply to all facilities with load growth at or greater than 13 MW, regardless of the type of load (i.e. CF/CT loads and NLSLs). Again setting aside whether the NTLG Policy is an appropriate mechanism to address BPA’s stated concerns for all large loads, CF/CT loads are not similarly situated to other new large loads such that consistent treatment is necessary or warranted.

1. CF/CT loads are meaningfully distinguishable from new large loads.

During the March 18-19, 2026 TC-27 workshop, BPA Staff indicated a leaning to include CF/CT loads in NTLG facility determinations. Thus far, the justification for not excluding CF/CT loads from NTLG facility determinations is that “CFCT loads are offered a different power rate but still require power and transmission planning when increasing their forecasts.”² AWEC understands that CF/CT loads may require power and transmission planning when increasing their forecasts; however, this is true of *any* request to increase access to the transmission – even trended load growth. As such, the need to plan for increased loads is not unique to large loads. There may be an influx of *new* large loads – particularly data centers – in the region, and given this influx, AWEC acknowledges BPA Staff’s position is that some level of reform is necessary in order for BPA to manage its transmission queue. However, it remains unclear whether the NTLG Policy outlined by BPA is appropriate for either NLSLs or CF/CT loads.

If BPA moves forward with a NTLG Policy, which AWEC does not concede should be the case, CF/CT loads should be excluded from NTLG facility determinations. As described in AWEC’s prior comments, by definition, CF/CT loads are legacy loads that BPA (and its NITS customers) have long planned for and that BPA’s existing transmission system was sized and designed to accommodate. Further, transmission assets to serve CF/CT facilities have long been

² Bonneville Power Administration, *TC-27 Pre-Proceeding Workshop* at 21 (Mar. 18-19, 2026).

embedded in NITS rates – a circumstance that distinguishes CF/CT facilities from new large load facilities. Not unlike their host utilities, or residential, commercial or small industrial consumer loads, CF/CT loads experience variability over time due to factors both within and outside of their control. They may temporarily “lose” load, for example, during a global pandemic due to economic circumstances outside of their control, and then see a natural return of that load as economic conditions improve.³ This variability in load does not change the fact that, by definition, BPA has already planned and constructed a transmission system sized to accommodate CF/CT loads up to CF/CT designated amounts, that CF/CT customers have previously relied on firm transmission to serve facilities up to CF/CT designated amounts, and that CF/CT loads have paid for transmission assets necessary to serve up to CF/CT designated amounts – in some cases for longer than the useful life assumed in rates for some transmission assets and beginning prior to the Agency’s establishment of Power and Transmission as distinct business lines. These are meaningful distinctions from new large loads that must be recognized. Legacy loads should not be saddled with an obligation to pay to study and upgrade the system due to normal business cycles over and over again.

Furthermore, there is significance to the fact that CF/CT customers are able to take service at Priority Firm (“PF”) rates, including Tier 1 and Tier 2 (if elected). AWEC appreciates BPA Staff’s acknowledgment that CF/CT loads are “offered power at a different rate,” but the issue goes beyond the rates available to CF/CT loads. CF/CT loads are considered when BPA Power establishes their host utilities’ Contract High Water Marks (“CHWM”), and their host utilities maintain a take or pay obligation for power used to serve CF/CT customers up to their CHWM, and if Tier 2 service is elected, for Above-Contract High Water Mark (“ACHWM”) amounts as well. These take-or-pay obligations are often then passed through directly to end-use consumers, including CF/CT loads, thereby creating a take or pay obligation for BPA’s customers, and by extension their ultimate consumers, for power that BPA may not deliver. This is not a rate or contract construct that exists for new large loads and is a significant, distinguishing factor between CF/CT loads and other new large loads. The implications of BPA Power requiring the purchase of PF power via contract that a customer cannot then arrange to have delivered from BPA Transmission raises significant concerns, including how this is consistent with BPA’s statutory obligations, tariff obligations and Provider of Choice Policy.

Finally, there are a limited number of CF/CT sites, and a finite amount of load growth that could occur under CF/CT designated amounts. As such, the scale of potential planning risk is not the same as it is for other new large loads, which are not similarly limited in load growth.

³ BPA recognized this reality in the development of Provider of Choice contracts, adopting an economic adjustment that would allow for additional Contract High Water Mark to be allocated to a utility based on a return of industrial load. Provider of Choice Policy at 17-18.

2. *Including CF/CT loads in NTLG facility determinations does not achieve BPA's stated objectives.*

AWEC continues to find that requiring CF/CT load growth above 13 MW to go through BPA's Commercial Business Model does not meet key objectives identified by BPA. For example, subjecting CF/CT loads fails to “thoughtfully balance cost causation and socialized costs.” As noted above, BPA has already planned for, and CF/CT loads have already paid for, transmission service access up to CF/CT designated amounts – thus, these loads are not causing new costs on BPA's system to the extent that “load growth” at the facility remains below CF/CT designated amounts. If a CF/CT facility is operating below its CF/CT designation, other consumers are benefitting from investments originally made on behalf of, and paid for by, CF/CT loads. This construct is likely to result in unwarranted cost and risk shifts to CF/CT loads experiencing normal load variability within designated CF/CT amounts. By the same logic, a failure to exclude CF/CT load amounts also fails to “fairly allocate scarce system capability.” As previously stated, CF/CT loads were considered in planning for, and have paid to build, the current system capability. To then state that they should not also be beneficiaries of a fair allocation of the system capability, however scarce, is arbitrary and results in unwarranted costs and risks shifts to CF/CT loads.

3. *Key NTLG Policy details are still unclear.*

AWEC recognizes that additional details of the NTLG Policy are forthcoming, including a one-pager to describe the threshold, a simulator tool that will enable customers to understand the implications of facility forecasts, and that draft Business Practice language may also facilitate further understanding of implementation issues and, hopefully, assuage some concerns. Particularly because BPA's Staff leaning is a significant departure from how BPA currently plans for NT load growth, these materials are critical to ensuring that there is a shared understanding of BPA's proposal. Without these materials, key elements remain unclear. As an example, it is not clear to AWEC at this time how NTLG facility baselines will be determined for existing loads “experiencing load growth,” including CF/CT loads. It is AWEC's understanding that the LaRC will be updated to require a ten-year facility forecast (peak MW) in future LaRCs, creating a baseline for comparison in future LaRC cycles.⁴ To be consistent with new facilities, a baseline based on peak MW, as opposed to average usage, should be utilized. Peak MW (capacity) is the appropriate measure given that the transmission system is sized to peak, not average, load growth.

⁴ Bonneville Power Administrator, *TC-27 Customer-Led Workshop: BPA Clarifying Presentation* at 13 (Jan. 15, 2026).

4. *The NTLG Policy, if adopted, should include key modifications.*

For non-CF/CT loads, if BPA continues to find it necessary to establish a “line” between trended and non-trended load growth, that determination should be made on a per-facility basis. AWEC appreciates that this approach addresses many concerns raised with measuring load growth at the Point of Delivery and is consistent with BPA’s concerns that *new* large loads are a significant driver of transmission service requests. However, AWEC agrees with comments raised by other stakeholders, including Northwest Requirements Utilities (“NRU”), that a threshold of 13 MW is too low, would benefit from additional study, given BPA’s stated reliability concerns, and is inconsistent with other relevant transmission-related policies and planning requirements. As such, AWEC supports proposals to increase the threshold to at least 20 MW, again assuming that a bright-line threshold represents the most appropriate solution to address BPA’s concerns.

In terms of the permanence of a NTLG threshold, AWEC appreciates the movement in Staff’s most recent leaning that the threshold will “start again” once commercial planning has granted a firm encumbrance and the customer has designated the associated resource. This approach addresses AWEC’s prior concerns that continued requirements to apply commercial planning at less than 13 MW could lead to inequitable results. However, AWEC continues to find that a sunset for the NTLG Policy is appropriate once BPA reaches the Future State. At that time, the transmission planning reform process will have been successful, resulting in a queue that is “studiable.” The circumstances support a shift back to reliance on other BPA processes to manage reliability concerns such as the reliability system assessment applicable to trended load growth.

NITS: Supporting Behind-the-Meter and Co-Located Resources

AWEC supports comments from the NLSL Group encouraging tariff terms and conditions, as well as policies, that promote efficient use of the transmission system.⁵ In particular, studying net load requirements when a large load is contractually obligated to limit consumption during peak hours or relies on paired generation – either behind-the-meter or co-located resource. Assuming 100 percent firm service in these circumstances will lead to an over-build of the system and deprive customers of the benefits for utilizing otherwise unused capacity. Additionally, AWEC echoes the requests from the NLSL Group to engage with customers and other interested stakeholders (such as AWEC) on behind-the-meter generation and demand

⁵ NLSL Group Comments at 2-3 (Jan. 16, 2026).



Alliance of Western Energy Consumers ♦ 201 Ferry St. SE, Ste. 200 ♦ Salem, OR 97301 ♦ 971-544-7169 ♦ awec.solutions

response. End use consumers, including AWEC members, are interested in these options and the time is ripe for BPA to consider these issues.

Comparable Service Offerings

AWEC shares concerns raised by other stakeholders, including NRU, that the interim service options available to NITS customers are not comparable in significant ways to the interim service options available to PTP customers, which may be discriminatory. AWEC encourages BPA to consider comparable interim service offerings.

In sum, AWEC sincerely appreciates BPA's time and effort that went into its TC-27 proposals and subsequent workshops and the engagement from BPA Staff on addressing issues and concerns from stakeholders, including AWEC. AWEC looks forward to continuing discussions on these topics.

/s/ Bill Gaines
Executive Director
Alliance of Western Energy Consumers