Dear BPA Tech Forum,

Gunsmoke Storage LLC ("Battery Storage IC" or "Owner") is a Bonneville Power interconnection customer (IC) with a number of study agreements, a currently designated as a Late Stage LGIR, developing a number of battery generators for interconnection with BPA at the Ponderosa 230 KV substation facilities, including as interconnected through NewSun Energy's Hoss Substation. Battery Storage IC recently received its Facilities Study, over 3 years after executing its System Impact Study Agreement (and 6 years after the LGIR submission). It thus brings unique value, knowledge and testimony to the discriminatory treatment of others in favor of Late Stage LGIRs, relative to Bonneville Power's reliance of certain LGIRs designations (including as Late Stage) to discriminate against others and in favor of certain incumbent operating generator, at the detriment of other generation, including Late Stage LGIRs and ICs such as Owner, by offering service to certain parties and the backward looking changes and imposition of new costs and fees favoring competitors, including irrespective of, regardless, and in contradiction to demonstrable facts as related the ability to take new CF service in the proposed time windows, or to enable new generation delivery into the market, including based on BPA's own indisputable record of inability and improbability of actually interconnecting the new generators it asserts should received discriminatory uplight in its proposed policies.

Battery Storage IC objects to the proposed TC-27 settlement. The settlement, both in its individual sections and in its cumulative effect, would compromise Battery Storage IC's ability to secure the transmission service, offtakers, and related services needed to charge and deliver the output of its battery storage resources on the BPA system. A resource that cannot obtain transmission on known, reasonable, and non-discriminatory terms cannot secure offtake agreements, finance construction, or deliver energy to the region, no matter how far along it is in the interconnection process.

Specifically, the TC-27 settlement would harm Battery Storage IC, and interconnection customers like it, in at least the following ways:

(a) Disconnecting interconnection from transmission. Battery Storage IC has invested significant time and capital in BPA's interconnection process, including study agreements, deposits, and milestone obligations, in reliance on the transmission policies in effect when it entered that process. The settlement changes how long-term firm (“LTF”) requests are evaluated, queued, and processed, leaving interconnection customers to carry interconnection costs and obligations with no reasonable assurance that transmission service will be studied or offered in a known timeframe.

(b) Impairing access to offtakers. Utility and corporate buyers require firm, deliverable energy and capacity. By delaying, conditioning, or narrowing the availability of LTF service and redirects, the settlement prevents Battery Storage IC from offering buyers credible delivery and puts it at a disadvantage against resources favored by the new criteria.

(c) Discriminating in favor of incumbents and select customers. The settlement's evaluation criteria, queue management changes, and interim conditional firm service ("CFS") offerings appear to favor certain incumbent generators, designated requests, and other select customers, based on backward-looking changes to policy rather than demonstrated ability to take service or deliver new generation to the market.

(d) Reducing available transmission and increasing curtailment risk. Granting interim CFS service to competitors, together with limits on redirects, is likely to reduce available transfer capability and increase curtailment exposure for short-term, non-firm, and redirected service, which are the very products new generators and storage resources rely on while waiting for LTF service.

(e) Imposing new costs and changed terms retroactively. The settlement imposes new fees, study costs, and terms and conditions on existing requests that differ materially from those in effect when those requests were submitted, increasing development cost and risk without a demonstrated benefit to the customers who bear them.

(f) Prolonging delay and uncertainty. The settlement would extend the period in which new transmission requests are not processed, leaving projects like Battery Storage IC's unable to meet commercial, financing, and interconnection milestones and increasing the risk that viable clean energy projects are withdrawn from BPA's queue altogether, to the detriment of the region's reliability and clean energy needs.

(g) Lacking adequate justification. BPA has not provided a sufficient factual or analytical basis showing that the settlement's benefits outweigh the harms it imposes on interconnection customers, generators, transmission customers, load-serving entities, and other market participants, or that those harms have been considered at all.

(h) Conflicts undermining CRC (TC-25). The BPA pause and refusal to study submitted requests along with removing valid transmission requests to BESS as a load, in parallel to other LGIA resources, undermines the negotiated TC-25 settlement because it artificially removes one of the commercial readiness criteria (Section 2.1.2 & 3.2.1 of Attachment R) established through that process. In concert these processes undermine one another in spirit, application, and congruence.

Additionally Battery Storage IC is uniquely harmed by the proposals and their adverse and discriminatory treatment, harming, disallowing, relegating, or otherwise adversely affecting the ability for transmission service requests to be validated, duly considered, actually studied, studied in known, prompt, and/or reasonable timeframes, and/or on not less than equivalent terms and conditions than other customers, or not on the terms and conditions applicable at the time of submission of TSRs seeking to serve Gunsmoke Storage LLC's (and affiliated) interests, including but not limited to TSRs with BPA Ponderosa 230 KV (and surrounding planned and existing facilities) as a POD, or when seeking to deliver power to battery or other energy storage uses,

interconnection customers, and/or generators, both through new service TSRs (long-term or short-term), redirected TSRs (whether long-term or short-term, firm or non-firm, or conversion to NT service).

Best,

Authorized Representative

Gunsmoke Storage LLC