

August 15, 2025

NewSun Energy

550 NW Franklin Ave., Suite 408

Bend, Oregon 97703

RE: Formal Comments on BPA Grid Access Transformation (GAT) Process

NewSun appreciates the opportunity to provide input on the proposed changes provided through the GAT process. However, we must express serious concerns regarding the scope, depth of discussion, and implications of BPA's proposed changes. The proposals represent a fundamental shift in long-standing transmission practices, policy, and precedent. The process to date has not afforded stakeholders adequate ability or transparency to evaluate and discuss the consequences. We therefore submit the following formal comments and request that BPA provide clear, public responses to the questions and issues outlined below:

Procedural Concerns and Requests for Process Reform

Why has BPA proposed such sweeping changes without a deliberate process allowing for the depth of discussion needed?

BPA published its GAT proposals on July 25, 2025, days before stakeholder workshops. These proposals will have long-term impacts on transmission rights and access across all customer types and business investments. We assert that this process needs to reach a level of discussion depth within the process timeline to avoid future challenges. We request that BPA:

- Extend the comment and review periods.
- Commit to a more deliberative, inclusive process.
- Provide a detailed impact analysis of the proposed changes.
- Provide details on how BPA studies the queue and what model input assumptions are present.
- Explain why BPA cannot model its existing system.
- Explain why different software cannot solve their modeling issue?

How does BPA justify its departure from open access principles?

BPA's proposals appear to undermine the neutrality of its transmission system by allowing BPAT to be the arbiter and make commercial judgments about transmission usage. This contradicts decades of precedent and BPA's statutory obligations. We request:

- A formal explanation of how BPAT's role and this GAT process align with open access principles and statute.

- Clarification of how BPA will ensure non-discriminatory access for all transmission customers.
- What business models does BPA find a valid use of the system?
 - IPP, ESS, Marketer, LSE (with and without owned generation), IOUs, COUs, PUDs, large load customers.
 - How will BPAs' proposed changes affect these entities? We request further details on what these proposed changes will mean to the queue, the ability to build, and ultimately the entity types above.

What analysis has BPA conducted on the potential harm to core customers and regional clean energy and capacity mandates?

There is no evidence that BPA has evaluated the impact of its proposals on ICs, TCs, or regional clean energy and capacity mandates/programs. NewSun is concerned that the proposals will:

- Undermine investment in transmission and generation.
- Threaten the ability of certain LSEs to meet future load growth.
- Jeopardize the region's ability to meet statutory clean energy and capacity programs.
- Remove viable projects from the GI queue.
- Increase costs borne by the market and LSEs.
- Increase policy uncertainty in the region.

We request that BPA publish a comprehensive risk and impact assessment addressing these concerns.

How will BPA ensure that public preference customers are not disadvantaged?

The proposals appear to restrict public preference customers' ability to pursue transmission projects and secure non-BPA power. Given BPA-Power's limited ability to meet future generation needs, is this an acceptable outcome? We request that BPA:

- Clarify how public preference rights will be protected.
- Explain how LSEs will be served if BPA-Power cannot meet their needs or how BPA will meet their needs?
- Ensure stable, predictable access to PTP transmission service for all entity types.
- Explain what the ramifications will be on liquidity in the market with these proposed changes.

What is BPA's defined future state, and how do these proposals support it?

BPA has not articulated what the future transmission study and expansion process will look like. Without this clarity, stakeholders cannot assess whether the transitional reforms are appropriate. We request:

- A detailed roadmap of BPA's envisioned future state.
- Justification for how current proposals align with that future.
- The future state, once BPA studies the queue, is the appropriate place for some of the drastic changes initially proposed by BPA.

How will BPA address the discriminatory impacts of its proposals?

Requiring large deposits and making speculative judgments about project viability favors large developers and mega-loads, disadvantaging smaller LSEs and IPPs. We request that BPA:

- Reevaluate deposit requirements and validation criteria.
- Ensure equitable treatment of all transmission customers, regardless of size or financial backing.
- Provide analysis and discussion of what impacts deposits, CRC, and bridge offers will have on the existing queue, different entities' business cases, and the future state.

How will BPA protect investments made under the current TSR process?

Customers have invested millions based on BPA's existing rules. The proposed retroactive changes—such as requiring “evidence of transaction maturity”—threaten these investments. We request that BPA:

- Guarantee that TSRs submitted under current rules will be honored.
- Provide a transition plan that protects existing investments and expectations.
- Reviews CRCs and how they impact or align with the GI and LLIR queues.
 - NS maintains that CRCs are not appropriate for processing the transmission queue.
- Provide an analysis of how these actions will impact the liquidity of our region, especially the MIDC Hub.

Further NewSun Questions and Recommendations:

Batch Study Feasibility and Capacity

Question:

Can BPA confirm its ability to conduct batch studies of the transmission queue in queue

order? What are the maximum MW volumes BPA can reasonably study in each batch while maintaining accuracy and timeliness?

Recommendation:

NewSun believes that batch studies conducted in queue order are both feasible and beneficial. We recommend that BPA define clear batch size thresholds and publish criteria for how projects will be grouped and prioritized.

Queue Pause During Study Process

Question:

Is BPA willing to lift the pause on existing queue requests, redirects, and provide bridge offers during the batch study process to ensure viable non-discriminatory outcomes for the region?

Recommendation:

NewSun recommends not applying retroactive rulemaking while BPA works to study the queue and provide offers of service. There are better solutions that solve BPAs' proposed constraints.

Inclusion of Grid 1.0 and 2.0 Projects

Question:

Will BPA include all evolving Grid 1.0 and Grid 2.0 projects in the study model to reflect the most accurate system conditions and future state?

Recommendation:

We urge BPA to incorporate all known and planned grid modernization efforts into the study model to ensure realistic and forward-looking outcomes.

Treatment of LLIR Projects

Question:

Will BPA include all existing and submitted LLIRs (Large Load Interconnection Requests) in the study model with 100% confidence?

Recommendation:

NewSun recommends that BPA treat LLIRs as firm commitments in the study model to accurately assess system capacity and constraints.

Impact Analysis on Queue and BPA Capabilities

Question:

Can BPA provide a comprehensive analysis of how the inclusion of Grid 1.0/2.0 projects and LLIRs will impact the transmission queue and BPA's ability to process requests?

Recommendation:

This analysis is critical to understanding the implications of proposed changes and should be shared with stakeholders to inform future decisions and justify proposed changes.

Offers Through Batch Analysis

Question:

Will BPA commit to making transmission service offers based on the outcomes of batch analyses?

Recommendation:

NewSun supports the use of batch study results to inform actionable transmission service offers, which will enhance transparency and predictability for developers, marketers, financiers, and LSEs. NS believes BPA can conduct batch studies, no less than 10 GWs at a time, to work through the queue and provide offers.

Conclusion

We request that BPA respond to these comments and questions in writing and to revise its GAT process to reflect the complexity and gravity of the proposed changes. NewSun stands ready to collaborate constructively but requires a process that respects the rights, investments, and statutory protections of all stakeholders.

Sincerely,

NewSun Energy Team