

**UNITED STATES OF AMERICA  
U.S. DEPARTMENT OF ENERGY  
BEFORE THE  
BONNEVILLE POWER ADMINISTRATION**

**2014-2015 PROPOSED POWER AND  
TRANSMISSION RATE  
ADJUSTMENTS**

**BPA Docket No. BP-14**

**TO: Hearing Clerk – L-7  
Bonneville Power Administration  
905 NE 11<sup>th</sup> Ave.  
Portland, Oregon 97232  
[rateclerk@bpa.gov](mailto:rateclerk@bpa.gov)**

**PETITION TO INTERVENE OF POWEREX CORP.**

Pursuant to Section 1010.4 of the Bonneville Power Administration (“BPA”) Rules of Procedure Governing Rate Hearings and BPA’s November 8, 2012 Notice, 77 Fed. Reg. 66,966, Powerex Corp. (“Powerex”) hereby petitions the Hearing Officer for leave to intervene in BPA’s 2014-2015 Power and Transmission Rate Case proceeding in the above-referenced docket. In support of this petition, Powerex respectfully shows the following:

**I.  
SERVICE OF DOCUMENTS**

All correspondence and communications in this proceeding should be addressed to the following persons:

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Asterisks indicate representatives upon whom service should be made.

## II. **NATURE OF PROCEEDING**

BPA has commenced a proceeding to address proposed power rate adjustments for FY 2014-2015, BP-14, which includes proposed rates for power, transmission, and certain control area and ancillary services. BPA indicates that these rates will become effective on October 1, 2013. BPA is also commencing a separate proceeding to address the costs associated with the Oversupply Management Protocol, which is designated OS-14.

## III. **INTEREST OF POWEREX AND PETITION TO INTERVENE**

Powerex is a corporation organized under the *Business Corporations Act* of British Columbia, with its principal place of business at Vancouver, British Columbia, Canada. As the wholly-owned marketing subsidiary of the British Columbia Hydro and Power Authority (“BC Hydro”), a provincial Crown Corporation owned by the Government of British Columbia, Powerex is an instrumentality of a foreign state under the Foreign Sovereign Immunities Act.<sup>1</sup> Powerex sells power at wholesale in the United States, pursuant to market-based rate authority originally granted by the Commission on September 24, 1997.<sup>2</sup>

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<sup>1</sup> 28 U.S.C. §§ 1602, *et seq.* (2006 Supp.).

<sup>2</sup> See *British Columbia Power Exchange Corp.*, 80 FERC ¶ 61,343 (1997); *British Columbia Power Exchange Corp.*, Docket No. ER97-4024-012 (Sept. 12, 2000) (unpublished letter order); *Powerex Corp.*, Docket No. ER01-48-002 (Oct. 30, 2003) (unpublished letter order); *Powerex Corp.*, Docket No. ER01-48-007 (July 26, 2007) (unpublished letter order); *Powerex Corp.*, Docket No. ER01-48-018 (Oct. 29, 2010) (unpublished letter order).

Powerex sells power from a portfolio of resources, including the Canadian Entitlement resources made available under the Columbia River Treaty, BC Hydro system resources, and various other power resources acquired from other sellers within the United States. Powerex also markets power in Canadian provinces other than British Columbia. Powerex is a transmission customer of BPA and takes service under BPA's OATT, contracting with BPA for both firm and non-firm transmission service. Powerex is dependent upon BPA for a significant portion of its transmission access to U.S. wholesale markets.

As a large transmission customer of BPA, Powerex has a direct and vital interest in the outcome of this proceeding. Any decision by the Administrator in Docket BP-14 could affect the rates and terms and conditions of transmission service that BPA provides to Powerex. Therefore, Powerex respectfully requests that the Hearing Officer grant Powerex leave to intervene as a party to this rate proceeding.

Respectfully submitted,

*/s/ Paul W. Fox*

Paul W. Fox

Tracy C. Davis

Bracewell & Giuliani LLP

**Attorneys for Powerex Corp.**

November 15, 2012

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BPA Docket No. BP-14

**CERTIFICATE OF SERVICE**

Pursuant to Section 1010.4 of the Bonneville Power Administration (“BPA”) Rules of Procedure Governing Rate Hearings and BPA’s November 8, 2012 Notice, 77 Fed. Reg. 66,966, I hereby certify that I have this day served via email a copy of the foregoing on:

Mr. Peter J. Burger, LP-7  
Office of General Counsel  
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Mr. Barry Bennett, LC-7  
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Dated Seattle, WA this 15th day of November, 2012.

**/s/ Tyler S. Johnson**  
Tyler S. Johnson