

May 29, 2019

Via email: techforum@bpa.gov

U.S. Department of Energy
Bonneville Power Administration
Transmission Services

Re: Comments of Avista Corporation, Idaho Power Company, PacifiCorp, Portland General Electric Company, and Puget Sound Energy, Inc. Regarding BPA Draft Conditional Firm Transmission Service Business Practice

Avista Corporation, Idaho Power Company, PacifiCorp, Portland General Electric Company, and Puget Sound Energy, Inc. (“Commenting Parties”) submit the following comments on the BPA draft Conditional Firm Transmission Service Business Practice Version 23 (“Draft”).¹

The Draft proposes the addition of the following as item J.2.a:

- a. Reassessment may occur prior to the SCD [TSR’s Service Commencement Date] if the SCD of the reservation occurs more than two years after the execution of the Table.

The proposed language appears to indicate that—“if the SCD of the reservation occurs more than two years after the execution of the Table”—the biennial period for reassessment² may commence to run prior to the commencement of the term of service.

However, the biennial period for reassessment should not commence to run prior to the commencement of the term of transmission service. The language of item J.2.a of the Draft should be revised to indicate that the biennial period for reassessment commences to run upon the commencement of the term of transmission service. This is consistent with language in Order 890, paragraph 959, which includes the following:

The transmission provider shall have a periodic right to reassess (1) the planning redispatch required to keep the service firm or (2) the conditions or hours under which the transmission provider may conditionally curtail the service. *This reassessment may occur every two years during the term*

¹ Available at <https://www.bpa.gov/transmission/Doing%20Business/bp/Redlines/Redline-Contitional-Firm-Transmission-BP-V23.pdf>.

² See BPA OATT Section 15.4; see also FERC *pro forma* OATT Section 15.4.

of the service, i.e., at the end of year two, year four, year six, and year eight of a ten-year service.

(Emphasis added.) Similarly, Order 890 paragraph 981 includes the following: “The transmission provider will retain the right to reassess the planning redispatch and conditional firm option after the first two years of service, and every two years thereafter.” Order 890-A paragraph 585 includes the following: “We reiterate, however, that only one reassessment may be performed in each two-year period of service.” In short, FERC’s language indicates that the biennial period for reassessment should not commence to run prior to the commencement of the term of transmission service.

Consistent with FERC’s language, item J.2.a of the Draft should be revised to read as follows:

- a. Reassessment may occur no more frequently than every two years during the term of the service--i.e., no more frequently than after the first two years of service, and every two years thereafter.

With regard to changed Number of Hours resulting from reassessment, Section J.4 of the Draft should be clarified as follows, to more fully and clearly explain the process by which the number of hours can increase or decrease as a result of reassessment:

Reassessment results must be provided to the Customer at least 90 calendar days prior to the date on which the new Number of Hours or System Conditions CFS would go into effect. Such notice will include the offer of a new Table. The Customer shall pay all Reassessment study costs:

- a. If the Number of Hours necessary to continue the CFS has increased or there is a change in the System Conditions:
 - i. The Customer has the option to discontinue the CFS or to execute a new Table with the increased number of CFS hours or changed System Conditions. Note: It is the Customer's responsibility to ensure that any such e-Tags are withdrawn so that they do not incur an Unauthorized Increase Charge.
 - ii. If the Customer chooses to discontinue the CFS, any CF Inventory is then available to be offered to the next eligible TSR(s).
- b. If there is no change in the Number of Hours, the Number of Hours decreases or there is no change in the System Conditions, the Customer must continue taking CFS through the term of the reservation and must execute a new Table with the decreased number of CFS hours if the Number of Hours is decreased and is the option that the Customer selects upon reassessment.

With this clarification, the language regarding execution of a new Table is more parallel for both increases and decreases in the Number of Hours.

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Nothing contained in these Comments constitutes a waiver or relinquishment of any rights or remedies provided by applicable law or provided under BPA's Tariff or otherwise under contract. Commenting Parties appreciate BPA's review of these comments and consideration of the recommendations contained herein. By return e-mail, please confirm BPA's receipt of these comments.