



April 30, 2024

*via email* ([techforum@bpa.gov](mailto:techforum@bpa.gov))

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

**Re: Comments of Renewable Northwest on the Business Practices Proposed to Implement the TC-25 Tariff Changes**

Renewable Northwest (“RNW”) submits these comments to the Bonneville Power Administration (“Bonneville”) regarding the proposed Business Practice (“BP”) changes required to implement the TC-25 tariff changes. Acknowledging the significant time, collective effort spent in the TC-25 proceeding to reform Bonneville’s Generator Interconnection (“GI”) queue from a “first-filed-first served” serial study process to a “first-ready-first-served” cluster study process,<sup>1</sup> RNW would like to note that the six proposed BPs<sup>2</sup> reflect substantial work done by Bonneville staff following the TC-25 settlement. RNW appreciates that the proposed BPs appear to be largely consistent with the terms of the settlement, and uncontroversial, which is a testament to staff’s thoughtful approach to the implementation. RNW suggests Bonneville strive to retain those attributes when reviewing comments and finalizing the proposed BPs and asks Bonneville to provide guidance on the topic of attaining site control on federal lands. RNW also recognizes there may be need to clarify definitions or other application details, and supports those clarifications which will improve understanding of the BPs that stay true to the TC-25 settlement.

**1. The BPs Implementing the TC-25 Queue Reform Should Strictly Adhere to the TC-25 Settlement Agreement**

RNW recognizes the importance of clarifying definitions or other details important to the process laid out in the BPs. At the same time, RNW worries that some parties may be tempted to seek additional queue reform changes through this BP implementation process and urges Bonneville to save any material changes for either subsequent BP revisions or the TC-26 process to allow for sufficient conversation and public process. Bonneville adopted a Business

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<sup>1</sup> Additional details regarding the TC-25 proceeding, including the TC-25 Settlement Agreement, are available at <https://www.bpa.gov/energy-and-services/rate-and-tariff-proceedings/tc-25-tariff-proceeding>.

<sup>2</sup> Additional details regarding the six proposed BPs, including: 1) Transition Process BP, Commercial Readiness BP; 2) Site Control BP; 3) Large Generator Interconnection Procedures Dispute Resolution BP (“LGIP Dispute Resolution BP”); 4) Generation Integration Services BP (“GI Services BP”); and 5) the Large Generator Interconnection BP (“Large GI BP”) are available at <https://www.bpa.gov/energy-and-services/transmission/business-practices/proposed-business-practices>.

Practice Process in the TC-20 settlement that allows parties to suggest changes to the BPs.<sup>3</sup> Central to the development of that process was consideration of the Federal Energy Regulatory Commission’s (“FERC”) rule of reason policy, which requires provisions that significantly affect rates, terms, and conditions of service to be included in a tariff whereas items better classified as implementation details be included in a business practice.<sup>4</sup> Bonneville should not implement any BP changes that could be interpreted as materially different from the TC-25 settlement or inconsistent with FERC’s rule of reason policy, and should defer consideration of any such changes for subsequent BP and tariff revisions as appropriate.

## **2. Bonneville Should Strive for Parity Among Parties in the Site Control BP**

RNW asks Bonneville to reconsider whether the issues surrounding federal leasing were adequately addressed in either the TC-25 Settlement Agreement or the proposed Site Control BP and take affirmative action to resolve any discrepancies between parties seeking to interconnect on public and private lands. RNW understands there are significant time delays in obtaining site control for federal lands that will effectively be prohibitive to timely interconnection for project development on federal land. This issue was discussed in TC-25, and in FERC Order No. 2023<sup>5</sup> and customers had hoped might be better addressed through the Site Control BP. RNW recognizes there is much under discussion and potential revision in the federal leasing process. Regardless, RNW sees it as necessary to conduct a review to look for potential process discriminations or asymmetries between projects requesting interconnection sited on private land versus public lands. RNW will defer to Bonneville as to whether additional flexibility can be provided in Section A of the Site Control BP now or if the issue should be reviewed afresh in either a subsequent BP revision or the TC-26 proceeding, but strongly urges Bonneville to provide some guidance on the most appropriate next steps to prevent undue discrimination or process asymmetries.

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<sup>3</sup> Additional details regarding the TC-20 proceeding, including the TC-20 Settlement Agreement and Bonneville’s Business Practice Process (Attachment 4 to the TC-20 Settlement Agreement) are available at <https://www.bpa.gov/energy-and-services/rate-and-tariff-proceedings/tc-20-tariff-proceeding>.

<sup>4</sup> See e.g., *Southwest Power Pool*, 169 FER ¶ 61,048, at P 62 (2019) (“Although SPP’s resource adequacy minimum run-time requirement significantly affects rates, terms, and conditions of service, its current Tariff does not include this requirement. Therefore, we institute an FPA section 206 proceeding to direct SPP to include its rules and practices regarding minimum run-time requirements in its Tariff.”).

<sup>5</sup> *Improvements to Generator Interconnection Proc. & Agreements*, Order No. 2023, 184 FER ¶ 61,054 at P 559 (2023).

RNW appreciates Bonneville's consideration of these comments and the recommendations contained herein. Nothing contained in these comments constitutes a waiver or relinquishment of any rights or remedies provided by applicable law or under Bonneville's tariff or otherwise under contract.

Respectfully submitted on behalf of RNW,

A handwritten signature in black ink that reads "Sidney Villanueva". The signature is written in a cursive, flowing style.

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