



BPA Statement:

May 3, 2007, Ninth Circuit Court Opinions re: Portland General Electric v. BPA and Golden Northwest Aluminum v. BPA (May 3, 2007)

The Bonneville Power Administration is disappointed in the Ninth Circuit Court's decisions. While we haven't had time to fully review and analyze the rulings, we are concerned the opinions will have a detrimental impact on BPA's ability to provide long-term certainty to the region concerning the benefits BPA provides because it will make settlements more difficult.

As for the allegations in the Golden Northwest suit that BPA was not setting rates sufficient to recover fish costs, it turned out that, in fact, rates were sufficient and did recover fish costs.

BPA is a not-for-profit federal agency that markets about 40 percent of the electricity consumed in the Pacific Northwest. The power is produced at 31 federal dams in the Northwest and one nuclear plant and is sold to more than 140 Northwest utilities. BPA operates a high-voltage transmission grid, comprising more than 15,000 miles of lines and associated substations in Washington, Oregon, Idaho and Montana.

[United States Court of Appeals for the Ninth Circuit Opinion re: Portland General Electric v. BPA](#)

[United States Court of Appeals for the Ninth Circuit Opinion re: Golden Northwest Aluminum v. BPA](#)



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Date:
Purpose/Subject:
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