

UNITED STATES OF AMERICA

BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

United States Department of Energy) Docket No. NJ12 - _____
Bonneville Power Administration)
Transmission Service Terms and Conditions)

BONNEVILLE POWER ADMINISTRATION PETITION FOR DECLARATORY ORDER
GRANTING RECIPROCITY APPROVAL AND FOR EXEMPTION FROM FILING FEE

Pursuant to 18 C.F.R. § 35.28(e) and 18 C.F.R. § 385.207, the Bonneville Power Administration (Bonneville) hereby submits certain amendments to its Open Access Transmission Tariff (OATT or tariff) and petitions the Commission for a declaratory order finding that Bonneville’s tariff, as amended by this filing, substantially conforms or is superior to the Commission’s *pro forma* tariff and that Bonneville satisfies the requirements for reciprocity status. Bonneville’s proposed tariff amendments, attached hereto, describe the implementation of a simultaneous submission window for short-term firm point-to-point transmission service requests in compliance with Order No. 890.¹

REQUEST FOR EXEMPTION FROM FILING FEE

Commission regulations provide that anyone engaged in the official business of the Federal Government is exempt from the fees required by 18 C.F.R. Part 381 and may petition for exemption in lieu of the applicable fee.² Bonneville is an agency within the United States Department of Energy. It is a Federal power marketing administration with its principal place of

¹ *Preventing Undue Discrimination and Preference in Transmission Service*, Order No. 890, FERC Stats. & Regs. ¶ 31,241 (2007), *order on reh’g*, Order No. 890-A, FERC Stats. & Regs. ¶ 31,261 (2007), *order on reh’g*, Order No. 890-B, 123 FERC ¶ 61,299 (2008), *order on reh’g*, Order No. 890-C, 126 FERC ¶ 61,228 (2009).

² 18 C.F.R. § 381.108 (2012).

business at 905 N.E. 11th Avenue, Portland, Oregon. Bonneville requests exemption from the filing fee.

PETITION FOR DECLARATORY ORDER

A. Introduction

In Order No. 890, the Commission required transmission providers with “no earlier than” timeframes for submission of firm transmission requests to treat all firm requests received within a specified time window as having been received simultaneously if there is not sufficient capacity to grant all the requests submitted within that window.³ While the Commission did set forth some general parameters for the window, it did not prescribe a specific type of window in its *pro forma* tariff. Rather, it gave transmission providers discretion to determine how the window should be implemented on their respective systems.⁴ Providers are required to describe their window in their tariffs and file it with the Commission for approval.⁵ Because Bonneville has implemented “no earlier than” timeframes for firm point-to-point service, it is proposing to revise its tariff to include a simultaneous submission window.⁶

On March 29, 2012, Bonneville filed a Petition for Declaratory Order proposing certain tariff revisions and seeking an order from the Commission that Bonneville’s tariff satisfies the requirements for reciprocity status.⁷ In that filing Bonneville noted that it had not yet

³ Order No. 890, at P 1419.

⁴ *Id.* at P 1418, 1420, 1422.

⁵ Order No. 890-A, at P 806.

⁶ See Bonneville’s Requesting Transmission Service Business Practice, section F (v. 12) (eff. August 9, 2012) at http://transmission.bpa.gov/ts_business_practices/.

⁷ See *Bonneville Power Admin.*, Petition For Declaratory Order Granting Reciprocity Approval And Exemption From Filing Fee, Docket No. NJ12-7-000 (March 29, 2012) (March 29 Petition).

implemented a simultaneous window but that it would choose a methodology and file appropriate tariff revisions during the summer of 2012.⁸

Bonneville is proposing these tariff amendments as a new petition in order to refrain from disrupting the Commission's consideration of Bonneville's March 29 petition. Bonneville believes that the Commission can rule on that petition while this one is pending. However, Bonneville is not opposed to the Commission's consolidating this petition with the March 29 petition if it desires to do so.

B. Proposed Tariff Revision

Bonneville proposes to amend its tariff by adding a new section 13.2(iii) to incorporate the Commission's simultaneous submission window requirement for its short-term firm point-to-point transmission service products having "no earlier than" reservation timeframes. Consistent with the Commission's directive in Order No. 890, Bonneville proposes to use a five-minute window for these products.⁹ Bonneville proposes to retain the Commission's traditional "first-come, first-served" method for awarding capacity for long-term (yearly) firm point-to-point transmission service requests. Customers may request long-term firm point-to-point service up to 10 years prior to the start of service, and, unlike customers that request short-term service, they do not compete with each other for capacity by submitting requests immediately (i.e., seconds or minutes) after the reservation window opens for long-term service. As a result, there is no need to apply a simultaneous submission window to long-term requests on Bonneville's system. The Commission has approved at least one other transmission provider's tariff applying

⁸ *Id.* at section B.vii, pp 23-24.

⁹ Order No. 890, at P 1420.

a simultaneous submission window to only short-term requests even though that provider had a “no earlier than” timeframe for long-term requests as well.¹⁰

For short-term firm point-to-point requests submitted within the window, Bonneville proposes to use the following methodology to determine reservation priorities when there is insufficient capacity to grant all requests:

- (i) Accord all requests submitted within the window the same queue time.
- (ii) Prioritize the requests based on duration, pre-confirmation status, and price as currently set forth in section 13.2(ii) of Bonneville’s current tariff.
- (iii) If there are multiple requests from different customers with equal priority after Bonneville prioritizes them based on the parameters set forth in section (ii), it will prioritize them based on a random lottery.

If a customer submits multiple requests within a window, Bonneville will process that customer’s requests in order of submission. In a situation where a customer submits multiple requests within a window and there are requests from other customers within the same window, Bonneville will process one request per customer in successive lottery rounds until all available capacity has been offered or there is only one customer with requests remaining (whose requests will then be processed in order of submission).

The Commission has already approved virtually identical lottery allocation methodologies for the Mid-Continent Area Power Pool (MAPP) and Western Area Power Administration.¹¹ The Commission found MAPP’s proposal to be a “reasonable method of

¹⁰ *Western Area Power Admin.* (Western), 133 FERC ¶ 61,193 at P 11, fn 13 (2010) (The Commission approved Western’s proposed simultaneous submission window language without discussing it specifically in its order).

¹¹ *Mid-Continent Area Power Pool (MAPP)*, 123 FERC ¶ 61,177 (2008); *Western*, 133 FERC ¶ 61,193 at P 11, fn 13 (2010).

capacity allocation that accommodates MAPP’s operating characteristics”¹² [i.e., MAPP used a flowbased system]. The Commission found that MAPP’s proposed lottery methodology allowed for a straightforward analysis of multiple flowgate impacts since capacity on flowbased systems could not be easily divided into separate, proportionate (or pro-rata) shares for multiple customers in tie-breaker situations. A significant portion of Bonneville’s system, like MAPP, is flowbased and presents the same challenges in regards to allocating capacity that MAPP faced. As a result, Bonneville believes that its proposed lottery methodology, which is similar to that approved for MAPP and the Western Area Power Administration, is the best approach on its system.¹³

Bonneville’s proposal prioritizes requests in a fair and equitable manner in which all customers who submit requests within its simultaneous submission window have an equal opportunity to be awarded the available capacity. Consistent with the Commission’s expectation concerning the MAPP lottery proposal, Bonneville will post new business practices on its Open Access Same-time Information System providing additional information regarding rules and practices relating to its simultaneous submission window.

¹² *MAPP* at P 30.

¹³ Bonneville also notes that another adjacent Northwest utility, PacifiCorp, recently filed to amend its tariff to incorporate a lottery-based methodology for its simultaneous submission window. *See PacifiCorp*, Filing for Revisions to OATT Section 13.2 and Schedule 10, Docket No. ER12-2348-000 (July 30, 2012).

C. Communications

All communications and correspondence regarding this filing should be forwarded to the following persons:

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D. Contents of Filing

In addition to this petition, this filing includes clean and red-lined versions of Bonneville’s revised tariff section 13 incorporating a simultaneous submission window. For convenience, in the red-lined version, Bonneville has included both the new section 13.2(iii) it is proposing here for simultaneous windows (in red ink) and the amendments to section 13 that it proposed in the March 29 petition (in blue ink).

E. Conclusion

Bonneville respectfully asks the Commission to grant its petition and find that its Open Access Transmission Tariff, as amended, substantially conforms or is superior to the *pro forma* tariff.

DATED this 4th day of September, 2012.

Respectfully submitted,

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