



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

GENERAL COUNSEL

April 11, 2008

In reply refer to: LP-7

Stephanie J. Sampson
Western Renewable Energy Generation Information System
615 Arapeen Drive, Suite 210
Salt Lake City, UT 84108-1262

Re: Comments on 4/7/08 Re-Draft of WREGIS Terms of Use

Dear Ms. Sampson:

Thank you for the opportunity to comment on the proposed changes to the WREGIS Terms of Use (TOU). The Bonneville Power Administration (BPA) is a federal power marketing agency based in the Pacific Northwest. Although BPA is under the U.S. Department of Energy, it is self-funded and recovers all its costs by selling its products and services at cost-based rates. BPA markets wholesale power from 31 federal hydro projects, one nonfederal nuclear plant, and several other small nonfederal power plants. Altogether, about 35 percent of the electric power used in the Northwest comes from BPA. BPA also operates and maintains about 75 percent of the high-voltage transmission in its service territory (covering Washington, Oregon, Idaho, western Montana and small parts of eastern Montana, California, Nevada, Utah, and Wyoming.) BPA is committed to providing public service, through its power and transmission sales, as well as by promoting energy efficiency, renewable resources, new technologies, and funding regional efforts to protect and rebuild fish and wildlife populations.

BPA is considering participation in WREGIS in two capacities. First, BPA's Transmission Services business, in conjunction with BPA's metering department, is considering participating as a Qualified Reporting Entity (QRE) for BPA's Balancing Authority Area. Second, BPA's Power Services business is considering participating as an Account Holder that will likely manage a significant number of sub-accounts for BPA's customers. Please consider these comments as the joint views of BPA as a whole.

1. **Recital #14**

As a Balancing Authority that may act as a QRE, BPA appreciates the addition of Recital #14. However, BPA strongly urges the drafters to add the following sentence (or a reasonable equivalent) to this Recital:

“The Generator Owner, Account Holders and Agents are each solely responsible for the [Output] data they submit to the Balancing Authority Account Holder to forward to WREGIS.”

This sentence (with the exception of the word “Output,” which BPA has inserted to reflect the new definition of that word contained in Attachment 1 of the TOU) was in a proposed version of the TOU that BPA received from WREGIS staff on November 20, 2007. At that time, BPA was quite pleased to see this important sentence included among the proposed changes to the TOU. Unfortunately, the sentence does not appear in the April 7, 2008, version of the TOU that was ultimately released for comment.

For Balancing Authorities like BPA that are considering becoming QREs, the sentence clarifies that their role is only to forward data to WREGIS and confirms that the originators of the information (whether Generator Owners, Account Holders, or Agents) remain solely responsible for the data. BPA believes this is a key point that must to be contained in the TOU and therefore urges the drafters to re-insert the above sentence.

2. Section 11

BPA supports the extensive changes made to Section 11, “Ownership and Uses of Data.” BPA believes the new language will make more parties willing to utilize WREGIS.

3. Section 13

BPA supports the extensive changes made to Section 13, “Confidentiality.” Like the changes to Section 11, the new language in this area should make more parties comfortable with using WREGIS.

In particular, BPA welcomes the addition of provision 13e which specifies that Confidential Information may be released but only when sufficiently aggregated with other information in WREGIS so that a third-party reviewer could not determine the actual generation produced by a Generating Unit registered with WREGIS.

4. Section 23

BPA appreciates the changes made to Section 23, “Governing Law.” As a federal agency, BPA’s signing of the TOU is contingent upon federal law governing the document. The changes to Section 23 make clear that federal law will govern the TOU when a federal entity is a party.

5. Attachment 1, definition m “Creation Date” and definition gg “Revenue Quality Meter Output”

These two terms had previously appeared in the list of defined terms contained in Attachment 1, however the proposed TOU calls for their removal. BPA notes that these terms are still contained in the WREGIS Operating Rules.

For a variety of reasons, BPA believes both terms are important definitions. If the drafters believe the terms are sufficiently set forth in the Operating Rules then perhaps they need not be repeated in the TOU. However, BPA wishes to ensure that the importance of the terms is not diminished by removing them from the TOU and listing them only in the Operating Rules.

Sincerely,

/s/ J. Courtney Olive

J. Courtney Olive
Attorney

Cc:

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