

Stephanie,

Thank you for the opportunity to comment on the draft Terms of Use. I submit these comments as the Program Administrator of the State of Oregon's Renewable Portfolio Standard. The comments, which follow my signature block, are based on the following documents.

WS\_BinaryComparison\_WREGIS Account Holder Agreement 1v0-WREGIS TOU  
031008-B clean 2.pdf  
WREGIS TOU 031008-B CLEANSED v2.pdf

I have used the following conventions to suggest modifications of the proposed language. In other cases, I have cited sections and followed them with comments or questions.

<< proposed eliminations >>  
*SUGGESTED ADDITIONS [note, section references are italic only without capitalization]*

We look forward to review of other comments and will provide further remarks as we have them on or before April 18, 2008.

Sincerely,

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=== Comments to Draft TOU ===

#### **RECITALS**

2. WREGIS covers the same geographic region ... Generating Units located in states *AND PROVINCES* served by the WECC.

9. All Account Holders must enter into this Agreement with the WECC before using WREGIS. Only Account Holders may create or register Certificates.

Question: Regarding Recital 9, it is unclear from this citation if the actions to Retire, Reserve, and Export Certificates are available to non-Account Holders? (See (7) f.)

Further, is this statement consistent with protocol in the Operating Rules, Section 12.9 for Retroactive Creation of Certificates?

#### **(4) Output Reporting**

c. If any Data is requested of Account Holders that is not listed in Section (13) b <<13(b)>> or Section (13) c <<13(c)>>...

Comment: This is a change to make the format of the section reference match the use in the balance of the TOU.

#### **(13) Confidentiality**

- b. The following is deemed Confidential Information:
- Gross generation (MWhs) of each electricity Generating Unit;
  - Net generation (MWhs) of each electricity Generating Unit;
  - Electricity (MWhs) consumed on site by the Generating Unit owner, other than for Generating Unit use (monthly);
  - Street address of the Generating Unit;
  - If aggregate metering of Generating Units, number and names of Generating Units on the meter;
  - Capacity factor of each electricity Generating Unit

Comment: Do other provisions provide for review of this information by a Program Administrator? This information is germane for our eligibility review process and future compliance confirmation.

#### **(23) Governing Law**

Except for any state agency or governmental entity Account Holder<<'>>s that are prohibited from using any other state's laws than their own...

Comment: Change possessive form to plural form.