

UNITED STATES OF AMERICA  
U.S. DEPARTMENT OF ENERGY  
BEFORE THE  
BONNEVILLE POWER ADMINISTRATION

2018 RATE PROCEEDING

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Docket Number BP-18

**BONNEVILLE POWER ADMINISTRATION OBJECTION TO JP03'S MOTION TO  
ADMIT DATA REQUESTS AND DATA RESPONSES INTO EVIDENCE**

Pursuant to section 1010.8 of the Bonneville Power Administration Rules of Procedure Governing Rate Hearings and the Hearing Officer's Order on Procedures to Admit Evidence,<sup>1</sup> the Bonneville Power Administration (BPA) objects to JP03's motion to admit data requests JP03- BPA-26-38 and JP03-BPA-26-40 into evidence.<sup>2</sup>

BPA objects to the admission of JP03- BPA-26-38 and JP03-BPA-26-40 because those data requests consist solely of spreadsheets that contain analysis performed by JP03 and there is no basis to conclude that the spreadsheets are accurate or reliable. Although JP03 asks staff to confirm the analysis contained in those spreadsheets through a series of questions in data requests JP03-BPA-26-37 and JP03-BPA-26-39, these spreadsheets were not included in JP03's testimony and are prejudicial to staff and other parties. The text of all these requests is attached without the spreadsheets as Attachment 1.

Admission of data requests JP03- BPA-26-38 and JP03-BPA-26-40 will not assist in ensuring that there is a full and complete record with accurate and reliable information. Although staff objected to answering data requests JP03-BPA-26-37 and JP03-BPA-26-39 (and, by extension, JP03-BPA-26-38 and JP03-BPA-26-40), staff stated that it was unsure exactly what JP03 was calculating or why it is calculating it, or, in the case of JP03-BPA-26-37, that

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<sup>1</sup> BP-18-HOO-24.

<sup>2</sup> BP-18-M-JP03-12.

JP03 appeared to rely on the wrong set of data. Because staff was unable to verify JP03's analysis and because it was not included in JP03's testimony, there is no basis to conclude that it is accurate or reliable. The interest in developing a full and complete record could be harmed by including information that is inaccurate and unreliable.

This type of analysis should have been included in JP03's direct case, especially because both spreadsheets appear to rely on data that was published concurrently with staff's initial proposal, thereby giving JP03 ample opportunity to perform its analysis. If such an analysis was included in JP03's direct case, JP03's calculations could have been explained in testimony and subject to discovery. This would have given all parties the ability to test whether JP03's analysis is accurate and reliable.

Furthermore, section 1010.8 of BPA's rate case procedures prevents JP03 from asking staff to perform new analysis on spreadsheets that staff did not create. In addition, nothing in the procedural rules allows JP03 to add supplemental analysis into the record through the submission of data requests. Allowing such evidence into the record is prejudicial to staff and other parties because it exempts such analysis from discovery and gives JP03 an opportunity to add analysis into the record that no other party has had.

Finally, these spreadsheets raise the same issues as the new analysis that JP03 attempted to introduce at cross examination. In that situation, as in this one, JP03 is attempting to supplement the record with new analysis that it should have included in its direct case and are shielded from discovery. The Hearing Officer did not allow this at cross examination and he should not allow it here.

In the interests of limiting the requests that BPA is objecting to, BPA is only asking the Hearing Officer to not allow into evidence the spreadsheets contained in JP03- BPA-26-38 and

JP03-BPA-26-40. However, BPA understands that the responses contained in JP03-BPA-26-37 and JP03-BPA-26-39 may lack context without the spreadsheets contained in JP03- BPA-26-38 and JP03-BPA-26-40. If the Hearing Officer finds that this is the case, BPA asks that the Hearing Officer not allow into evidence all of the data requests and responses that are at issue in this objection, which are JP03-BPA26-37, JP03- BPA-26-38, JP03-BPA-26-39, and JP03-BPA-26-40.

For the reasons stated above, BPA requests the Hearing Officer grant this objection.

DATED this 10th day of April 2017.

Respectfully submitted,

/s/ Ryan Sigurdson

Ryan Sigurdson

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# **Attachment 1**

**DATA RESPONSE**  
**BONNEVILLE POWER ADMINISTRATION**  
**BP-18 RATE CASE**

**DATA REQUEST NUMBER: JP03-BPA-26-37**

DATE/TIME<sup>1</sup> OF RECEIPT OF REQUEST: 3/22/17

DIRECTED TO: BP-18-E-BPA-25

REQUESTOR'S NAME: Lon Peters  
AGENCY: JP03

PAGE(S): 3  
LINE(S): 25

**DATA REQUEST:**

- a. Please confirm that Chart 5 in Appendix A to BP-18-E-BPA-12 is based on data posted by BPA at <https://www.bpa.gov/Finance/RateCases/BP-18/Pages/Models-and-Datasets.aspx>, specifically in the file Transmission Rates Study and Rate Design Testimony Southern Intertie Hourly Rate Design Charts and Data
- b. Please confirm and verify that the file referenced in a. contains (in Tab ST\_IS\_Reservations) hourly data for FY10-14, which was used by BPA to create Chart 5 in Appendix A of BP-18-E-BPA-12.
- c. JP03 represents that JP03 has extracted the hourly data in Tab ST\_IS\_Reservations of the file referenced in a. to produce a chart that shows individual years, which were combined in BPA's Chart 5 for FY10-14. Please verify and confirm that the chart included in the separately uploaded Excel file is based on the same data posted by BPA and referenced in a.

The Excel file will be uploaded in an immediately subsequent data request, due to limitations of the secure web site.

**RESPONSE:**

- a) Yes.
- b) BPA objects to this request as it does not pertain to BPA's rebuttal testimony. BPA did not create these charts, and it would require BPA to perform new analysis. Without waiving this objection, BPA did not use the ST\_IS\_Reservations tab to create Chart 5.
- c) BPA objects to this request as it does not pertain to BPA's rebuttal testimony. BPA did not create these charts, and it would require BPA to perform new analysis. Without waiving this objection, BPA did not use the ST\_IS\_Reservations tab to create Chart 5.

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<sup>1</sup> Requests received after 4:30 pm PST shall be deemed to have been received on the next business day.

**DATA RESPONSE**  
**BONNEVILLE POWER ADMINISTRATION**  
**BP-18 RATE CASE**

For technical questions about this response, please contact Mike Linn by phone 360-619-6074 and/or email [mrlinn@bpa.gov](mailto:mrlinn@bpa.gov).

**DATA RESPONSE**  
**BONNEVILLE POWER ADMINISTRATION**  
**BP-18 RATE CASE**

**DATA REQUEST NUMBER: JP03-BPA-26-38**

DATE/TIME<sup>1</sup> OF RECEIPT OF REQUEST: 3/22/17

DIRECTED TO: BP-18-E-BPA-25

REQUESTOR'S NAME: Lon Peters  
AGENCY: JP03

PAGE(S): 3  
LINE(S): 25

**DATA REQUEST:**

<https://www.bpa.gov/secure/RateCase/openfile.aspx?fileName=Intertie+Flows+Shapes.xlsx&contentType=application%2fvnd.openxmlformats-officedocument.spreadsheetml.sheet>

**RESPONSE:**

See response JP03-BPA-26-37

For technical questions about this response, please contact Mike Linn by phone 360-619-6074 and/or email [mrlinn@bpa.gov](mailto:mrlinn@bpa.gov).

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**DATA RESPONSE**  
**BONNEVILLE POWER ADMINISTRATION**  
**BP-18 RATE CASE**

**DATA REQUEST NUMBER: JP03-BPA-26-39**

DATE/TIME<sup>1</sup> OF RECEIPT OF REQUEST: 3/24/17

DIRECTED TO: BP-18-E-BPA-25

REQUESTOR'S NAME: Lon Peters  
AGENCY: JP03

PAGE(S): 2  
LINE(S): 2-5

**DATA REQUEST:**

("As solar generation has increased in California, the peak hours, traditionally considered to be the 16 hours in the middle of the day, have been reduced to five hours in the evening. This trend of decreased net load in the middle of the day is referred to in the industry as the 'duck curve.'")

Regarding BPA staff's statement that the traditional peak period has been reduced to five hours in the evening:

(a) Do you agree that data you believe to support that assertion can be extracted from BPA's file "Southern Intertie Hourly Rate Design Charts and Data"? (The complete file is posted at <https://www.bpa.gov/Finance/RateCases/BP-18/Pages/Models-and-Datasets.aspx>)? If your answer is other than an unqualified "yes," please explain.

(b) JP03 represents that the tab "Intertie Flows," taken from the BPA file referenced in (a) is included in the separately attached Excel file as the tab "Intertie\_Flows". Do you agree with the accuracy of this representation? If your answer is other than an unqualified "yes," please explain.

(c) JP03 further represents that the chart shown in the tab "HourlyIntertieScheduleShape" in the attached Excel file is based on the data in "Intertie\_Flows". Do you agree with the accuracy of this representation? If your answer is other than an unqualified "yes," please explain. NOTE: THE EXCEL FILE IS SEPARATELY UPLOADED DUE TO LIMITATIONS OF THE BPA WEB SITE.

(d) Do you agree that the chart referenced in (c) accurately reflects BPA's proposed five-hour evening peak (shown in green) referenced in your testimony for each fiscal year from FY10 through FY16? If your answer is other than an unqualified "yes", please explain.

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**DATA RESPONSE**  
**BONNEVILLE POWER ADMINISTRATION**

**BP-18 RATE CASE**

(e) Do you agree that the chart referenced in (c) accurately reflects total usage of the Southern Intertie, by hour, for each of the FYs depicted on the chart, as recorded and posted by BPA? If your answer is other than an unqualified “yes”, please explain.

(f) Do you agree that the chart accurately depicts “base hourly usage” (for any FY, defined as the minimum energy scheduled in all hours of the average day) of the Southern Intertie? If your answer is other than an unqualified “yes”, please explain.

**RESPONSE:**

- a) Yes.
- b) BPA objects to the request because the chart provided by JP03 is not part of BPA’s testimony, and it would require BPA to perform new analysis.
- c) BPA objects to the request because the chart provided by JP03 is not part of BPA’s testimony, and it would require BPA to perform new analysis. Without waiving this objection, we note that the term “HourlyIntertieScheduleShape” indicates that JP03 is showing how the Southern Intertie was scheduled, but its analysis seems to be based on flow. As a result, we cannot determine the accuracy of JP03’s analysis.
- d) BPA objects to the request because the chart provided by JP03 is not part of BPA’s testimony, and it would require BPA to perform new analysis. Without waiving this objection, we don’t see anything in green on this spreadsheet.
- e) BPA objects to the request because the chart provided by JP03 is not part of BPA’s testimony, and it would require BPA to perform new analysis. Without waiving this objection, we cannot determine the accuracy of JP03’s analysis for the reasons described in c). We also are unsure what JP03 means by “usage” in this context.
- f) BPA objects to the request because the chart provided by JP03 is not part of BPA’s testimony, it would require BPA to perform new analysis, and BPA is unsure what exactly JP03 is calculating or how it is calculating it. BPA also objects to this request because it did not calculate “base hourly usage” in its testimony or even use that term. Without waiving this objection, we cannot confirm the accuracy of JP03’s “base hourly usage” because it is not clear whether it is measuring schedules or flow or some other metric.

For technical questions about this response, please contact Mike Linn by phone 360-619-6074 and/or email [mrlinn@bpa.gov](mailto:mrlinn@bpa.gov).

**DATA RESPONSE**  
**BONNEVILLE POWER ADMINISTRATION**  
**BP-18 RATE CASE**

**DATA REQUEST NUMBER: JP03-BPA-26-40**

DATE/TIME<sup>1</sup> OF RECEIPT OF REQUEST: 3/24/17

DIRECTED TO: BP-18-E-BPA-25

REQUESTOR'S NAME: Lon Peters  
AGENCY: JP03

PAGE(S): 2  
LINE(S): 2-5

**DATA REQUEST:**

<https://www.bpa.gov/secure/RateCase/openfile.aspx?fileName=JP03-BPA-26-39+Attachment+Intertie+Flows+Shapes.xlsx&contentType=application%2fvnd.openxmlformats-officedocument.spreadsheetml.sheet>

**RESPONSE:**

See response to JP03-BPA-26-39

For technical questions about this response, please contact Mike Linn by phone 360-619-6074 and/or email [mrlinn@bpa.gov](mailto:mrlinn@bpa.gov).

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