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

FY 2029 Public Rate Design Methodology	**)**	**BPA File No.: PRDM-26**
	)	

OUT-OF-TIME PETITION TO INTERVENE OF
THE NORTHERN WASCO COUNTY PEOPLE'S UTILITY DISTRICT

Pursuant to Section 1010.6 of the Rules of Procedure of the Bonneville Power Administration (BPA or Bonneville) and the Federal Register Notice dated November 13, 2024 (89 Fed. Reg. 89,633), the Northern Wasco County People's Utility District ("Northern Wasco PUD") hereby petitions for leave to intervene out of time as a Party in the above-captioned proceeding.

A. Nature of Proceeding:

BPA commenced this proceeding to adopt a new tired rate design methodology for setting its Priority Firm Power (PFp) rates for the period beginning on October 1, 2028. This rate methodology is called the Public Rate Design Methodology (PRDM) and will establish two tiers of power rates: one rate tier (Tier 1) will be based on generation output and costs attributed to BPA's current system resources and a second rate tier (Tier 2) will be based on the generation and costs associated with newly acquired resources. Concurrently with this PRDM-26 proceeding, BPA is also negotiating power sales contracts for the supply of firm power for BPA's customers' requirements for the period covering October 1, 2028 through September 30, 2044. These new contracts are colloquially referred to as the "Provider of Choice" contracts. BPA indicates that the Provider of Choice contracts and the PRDM are designed to work in tandem. Specifically,

customers that elect to purchase their power under the Provider of Choice contracts will also agree to have their PFp power rate set pursuant to the PRDM.

B. Interest of Northern Wasco PUD and Basis for Untimely Intervention:

Northern Wasco PUD is a people's utility district created and existing under the laws of the State of Oregon for the purpose of providing electric and other utility services to customers within its service territory. Northern Wasco PUD is a statutory preference customer of BPA and purchases power and related products directly from BPA pursuant to the current long-term power sales contract and the Tiered Rates Methodology. Starting on October 1, 2028, Northern Wasco PUD will purchase power and related products directly from BPA pursuant to the impending Provider of Choice contract and the PRDM that BPA is proposing to adopt in this proceeding.

Pursuant to Section 1010.6(b) of BPA's Rules of Procedure, "[e]ntities that directly purchase power or transmission services under Bonneville's rate schedules … will be granted intervention, based on a petition filed in conformity with this Section 1010.6." As a direct purchaser of power and transmission services under BPA's rate schedules, Northern Wasco PUD is an entity within the meaning of Section 1010.6(b) and has a direct and substantial interest in participating in this proceeding.

In considering untimely petitions to intervene pursuant to Section 1010.6(c)(2) of BPA's Rules of Procedure, the Hearing Officer shall consider whether (i) the petitioner has a good reason for filing out of time; (ii) any disruption of the proceeding might result from granting a late intervention; (iii) the petitioner's interest is adequately represented by existing Parties; and (iv) any prejudice to, or extra burdens on, existing Parties might result from permitting the intervention. Northern Wasco PUD erroneously assumed that the deadline for interventions in this proceeding would be the same as the deadline for interventions in BPA's concurrent BP-26

proceeding because both proceedings formally commenced on the same date (*see* 89 Fed. Reg. 89,626) and BPA usually sets generous deadlines for interventions. The Federal Register Notice for this proceeding was published on Wednesday, November 13, 2024, establishing the following Tuesday, November 19, 2024 as the deadline to intervene. This allowed prospective petitioners just four business days to review the Federal Register Notice, decide on its participation, and prepare and file a petition to intervene. Upon discovering the unusually short deadline for intervening in this proceeding and its error, Northern Wasco PUD immediately filed this petition.

Northern Wasco PUD is filing this petition only four business days after the established deadline for interventions, so this proceeding will not be disrupted, and no Party is likely to be prejudiced by permitting Northern Wasco PUD to intervene out of time. Northern Wasco PUD's interests cannot be represented by any other existing Party because Northern Wasco PUD will hold an individual Provider of Choice contract with BPA and will require an individualized combination of BPA's products and services based on its unique load and customer characteristics. Finally, Northern Wasco PUD accepts the record as it exists on the day of this petition.

C. Service of Documents:

All pleadings, materials, and other communications relating to this proceeding should be served on the following individuals:

Kurt Conger
Assistant General Manager
Northern Wasco Co. People's Utility District
2345 River Road
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Wherefore, Northern Wasco PUD requests that this petition to intervene out of time be granted and that Northern Wasco PUD be made a formal party to this proceeding.

DATED this 26th day of November, 2024.

Respectfully submitted,

/s/ Irene A. Scruggs
Chief Legal Officer
Northern Wasco PUD

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing by uploading it to the Bonneville Power Administration's secure website. Pursuant to Section 1010.10(a) of the Rules of Procedure of the Bonneville Power Administration, such filing constitutes service on all Litigants.

Submitted by,

/s/ Irene A. Scruggs
Chief Legal Officer
Northern Wasco PUD

PRDM-26-I-NP-01