PETITION TO INTERVENE OF POWEREX CORP.

Pursuant to Sections 1010.6 and 1010.11 of the Bonneville Power Administration’s (“BPA”) 2018 Rules of Procedure and BPA’s June 22, 2020 Notice, 85 Fed. Reg. 37,444, Powerex Corp. (“Powerex”) hereby petitions the Hearing Officer for leave to intervene in BPA’s expedited rate case proceeding to suspend the Financial Reserves Policy surcharge in the above-referenced docket. In support of this petition, Powerex respectfully shows the following:

I. SERVICE OF DOCUMENTS

All correspondence and communications in this proceeding should be addressed to the following persons:

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II. NATURE OF PROCEEDING

BPA has commenced a proceeding pursuant to Section 7(i) of the Northwest Power Act, 16 U.S.C. § 839e(i), to suspend the application of the Financial Reserves Policy Surcharge (“FRP Surcharge”) for the remainder of the BP-20 rate period. BPA expects that suspension of the FRP Surcharge for the remainder of the BP-20 rate period is expected to result in a reduction of Bonneville’s current power rates, providing rate relief to millions of Pacific Northwest ratepayers during the COVID-19 pandemic. The suspension of the FRP Surcharge is not expected to affect BPA’s transmission rates. BPA expects to conduct the proceeding on an expedited basis in accordance with its rules of procedure.

III. INTEREST OF POWEREX AND PETITION TO INTERVENE

Powerex is a corporation organized under the Business Corporations Act of British Columbia, with its principal place of business at Vancouver, British Columbia, Canada. As the wholly-owned marketing subsidiary of the British Columbia Hydro and Power Authority (“BC Hydro”), a provincial Crown Corporation owned by the Government of British Columbia, Powerex is an instrumentality of a foreign state under
the Foreign Sovereign Immunities Act.\(^1\) Powerex sells power at wholesale in the United States, pursuant to market-based rate authority originally granted by the Federal Energy Regulatory Commission on September 24, 1997.\(^2\)

Powerex sells power from a portfolio of resources, including the Canadian Entitlement resources made available under the Columbia River Treaty, BC Hydro system resources, and various other power resources acquired from other sellers within the United States and Canada. Powerex is a transmission customer of BPA and takes service under BPA’s Open Access Transmission Tariff, contracting with BPA for both firm and non-firm transmission service.

As a large transmission customer of BPA, Powerex has a direct and vital interest in the outcome of this proceeding, and this interest is not represented by any other customer of BPA. Any decision by the Administrator in Docket BP-20E could affect the rates for transmission service that BPA provides to Powerex. Therefore, Powerex respectfully requests that the Hearing Officer grant Powerex leave to intervene as a party to this rate proceeding.

Respectfully submitted,

\(\textit{/s/ Tyler S. Johnson}\)
Tyler S. Johnson
Bracewell LLP
Attorney for Powerex Corp.

June 24, 2020


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/ Tyler S. Johnson
Counsel for Powerex Corp.