



# Proposal for Section 9

# Proposal for Section 9 Tariff Language

Nothing contained in the Tariff or any Service Agreement shall be construed as affecting in any way the right of the Transmission Provider to unilaterally make changes in terms and conditions, classification of service, or Service Agreement after the Transmission Provider conducts a hearing under Section 212(i)(2)(A) of the Federal Power Act. The Transmission Provider may, subject to the provisions of the applicable Service Agreement under this Tariff, change the rates that apply to transmission service pursuant to applicable law.

Nothing contained in the Tariff or any Service Agreement shall be construed as affecting in any way the ability of any Party receiving service under the Tariff to exercise its rights under the Federal Power Act and pursuant to the Commission's rules and regulations promulgated thereunder.

# Proposal for Section 9

<p><b>BPA Context</b></p>	<ul style="list-style-type: none"> <li>• BPA will not adopt <i>pro forma</i> section 9. <i>Pro forma</i> Section 9 permits FERC jurisdictional transmission providers to unilaterally apply to FERC for a change in rates, tariffs, and service agreements. BPA is not a FERC jurisdictional utility and cannot delegate authority to FERC to set rates or terms and conditions for transmission service over the FCRTS.</li> <li>• BPA proposes a Section 9 that permits the transmission provider to change the tariff after following the procedural requirements of section 212(i)(2)(A) of the Federal Power Act.</li> <li>• Today, we will respond to customer feedback regarding need for business certainty and inclusion of procedural protections and substantive standards in Section 9.</li> </ul>
<p><b>Consistent with <i>pro forma</i> or new tariff principles</b></p>	<ol style="list-style-type: none"> <li>1. Implement BPA’s statutory and legal obligations, authorities, or responsibilities.</li> <li>3. Prevent significant harm or provide significant benefit to BPA’s mission or the region, including BPA’s customers and stakeholders.</li> </ol>
<p><b>TC-20 Tariff Scope</b></p>	<ul style="list-style-type: none"> <li>• Section 9 is in scope for this upcoming Tariff Proceeding.</li> </ul>
<p><b>Rate Case Impact</b></p>	<ul style="list-style-type: none"> <li>• Plan to conduct future tariff and rate cases concurrently. No known/anticipated impact for the BP-20 rate case</li> </ul>
<p><b>Customer Feedback</b></p>	<ul style="list-style-type: none"> <li>• Seek feedback on the proposed Section 9 that has been posted.</li> </ul>