

West-Wide Governance Pathways Initiative

Stakeholder Comment Template: Public Interest

**Comments of the Bonneville Power Administration**

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**1. Do you think the set of tools shared by the working group is comprehensive? If not, please share other tools that should be considered.**

Bonneville agrees with the array of roles and functions for market governance that is described by the work group. Underlying all of these functions must be provisions for transparency of decision making and access for constituencies to the decision makers.

While there is overlap in this discussion with the work group for stakeholder engagement, Bonneville wishes to emphasize the importance of public access and transparency to the functions listed in the public interest working group. Include provisions for notice and distribution of all RO meetings and for supporting advisory groups; provisions for meeting attendance, including by webcasts; and recordings and functioning archives of RO meetings and for supporting advisory groups. Meetings of the RO and advisory groups should be in economical and accessible venues, avoiding registration fees for attendance. Rules to protect proprietary information, discussion of personnel and litigation matters should be specific and limited.

**2. Do you disagree with any of the tools shared by the working group? Are there any that should not be used to protect the public interest? If so, please share your rationale.**

Bonneville has no disagreements.

**3. Do you agree with the tools shared to protect the public interest within the RO board? Do you have additional recommendations for consideration?**

Bonneville does not believe it is necessary to define specific experiential requirements for nominations to the RO Board, but rather allow for flexibility in the nominating process to provide for a diversity of expertise and backgrounds in RO Board membership.

**4. States Committee**

**a. Do you agree with the structure and governance proposed by the working group? Why or why not? Do you have additional recommendations for consideration?**

Bonneville supports continuing the current structure of the WEM Body of State Regulators for Step 2 Regional Organization design. We support continuing the liaison functions for public power representatives and for the federal power marketing administrations.

Bonneville believes that the States Committee should remain wholly advisory at this time. It is premature to assign any voting functions to the States Committee.

The current Body of State Regulators is advisory. It is also self-governing by the state regulators who are its members. It has two purposes of relevance here. The first is to “provide a forum for state regulators to learn about the EIM, EIM governing body and related ISO developments that may be relevant to their jurisdictional responsibilities.” The second is to “Establish a process through which it may express a common position in ISO stakeholder processes or to the EIM Governing Body on EIM issues.” The BOSR seeks to operate by consensus.

It is important to obtain the view of the States for if and how they would propose expanding the role played by the current BOSR, and if such expansion is necessary at this time when the scope of the Regional Organization is limited to market functions.

Until there is such determination of expanding the role of the States Committee, Bonneville urges that all actions of the States Committee be advisory and that its decision processes not be prescribed in the work group’s proposal.

**b. How has your experience been with other markets’ States Committees (BOSR, COSR, MSC, etc.)? Are there any considerations recommended for this working group?**

The Markets States Committee in Markets Plus has helped to facilitate discussions among state representatives to respond to compliance obligations for state policies. This work has been particularly valuable to address market design for greenhouse gas accounting.

If the role of a States Committee expands beyond the purposes of the current BOSR, Bonneville suggests consideration of a specific objective for the States Committee to promote engagement with state agencies and elected officials to collaborate on aligning state policy implementation with compatible policies in the market design.

**c. Do you agree with the role of public power/PMA proposed by the working group? Do you have additional recommendations for consideration?**

Bonneville values the current liaison roles on the WEM BOSR for public power and power marketing administration liaisons. These liaisons serve an advisory function. In its own role, Bonneville coordinates with the other federal PMA in WEM footprint, the Western Area Power Administration, on issues pending before the BOSR. In Bonneville’s experience, the members of the BOSR have solicited and incorporated the perspectives of the PMAs in developing their comments on WEM policies.

**d. How else might public power/PMA perspectives be incorporated?**

The work group proposal includes the provision that public power and MA roles are advisory except in situations where state representatives are voting. As discussed in our comments above, Bonneville believes it is premature to discuss voting by the state representatives.

**e. Do you agree with the proposed relationship between the States Committee and the RO board? Do you have additional considerations or adjustments to the proposal?**

Bonneville believes the provision allowing a subset of the States Committee to require a supermajority vote of the RO Board is premature and should be deferred until there is agreement on specific voting functions for the States Committee.

## **5. Consumer Advocates**

**a. Do you agree with the structure proposed by the working group? Do you think this is an effective means of engaging consumer advocates? Why or why not? Please share your rationale.**

Bonneville supports a role for coordination among state-chartered consumer advocates consistent with the scope of their representation of utility customers as determined by each state.

**b. Do you think this proposal is effective in protecting the consumer interest? Why or why not? Please share your rationale.**

The definition of consumer interest is subjective. Bonneville serves over one hundred publicly owned utilities whose policy oversight is provided either from directly elected representatives or appointed by elected officials. Bonneville suggests that state and local charters should shape the scope of consumer interest within the RO governance framework.

**6. Do you think the elements outlined in the presentation materials of the role of an Independent Market Monitor would be effective in helping to protect the public interest? If not, please explain your rationale and include any suggestions you can offer that would strengthen the role of an Independent Market Monitor.**

The proposal is based on the current functions of the CAISO Department of Market Monitoring. Bonneville believes this is a reasonable initial scope for an independent market monitor and its interactions with the Board of the RO and the States Committee.

**7. Do you have any additional feedback you would like to share with the Launch Committee on these topics?**

None at this time.