



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

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ATTN: Camille Sultana, Senior Environmental Planner  
Climate Pollution Reduction Program  
Washington Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504-7600

### **Re: Comments on Ecology's draft rule language for electricity imports and centralized electricity markets**

The Bonneville Power Administration (BPA) appreciates the opportunity to comment on the Washington Department of Ecology's (Ecology) draft rule language for electricity imports and centralized electricity markets. BPA provides comments on the following sections of the draft reporting rules:

#### **1) WAC 173-441-124(1)(d) - Balancing Authority Data Sharing**

WAC 173-441-124(1)(d) proposes that a Balancing Authority provide written authorization for data sharing to support verification and analysis of market transactions and associated emissions. As written, this request is overly broad, and BPA requests Ecology narrow any data requests to the specific information necessary for verification of electric power entity reporting under WAC 173-441-124.

BPA further requests that Ecology consider what information is already publicly available, thus accessible by Ecology, before requesting that reporting entities engage in additional work to compile data. Historical e-tag information is publicly available through the Open Access Technology International, Inc. (OATI); Ecology can sign a licensing agreement with OATI to become an authorized user and get access to e-tags. Point of Receipt (POR) and Point of Delivery (POD) information for Balancing Authorities is also publicly available through OATI. Information for BPA's Balancing Authorities Area (BAA) can be accessed at <https://www.oasis.oati.com/bpat/index.html>.

Of relevance, PORs/PODs are mapped to BAAs and not necessarily tied to a physical location nor mapped to a specific state. BPA understands the [Electric Power Entity](#)

[White Paper](#) assumed certain PORs/PODs were “located in Washington” for purposes of determining imports under Washington’s cap-and-invest program. These assumptions were made by the drafters of the White Paper based on physical intersections of BAAs. To the extent there are additional ambiguities over whether a specific POR/POD can be assumed to be in Washington, neither data from OATI nor any additional BAA data would clarify those ambiguities. BPA cautions that not all PORs/PODs can logically be mapped to a specific physical location or jurisdiction.

## **2) WAC 173-441-124(2)(b) - Deemed Market Importer**

BPA appreciates Ecology’s draft language stating that the deemed market importer is the resource owner/operator where a federal Power Marketing Administration is the Market Participant on behalf of non-federal resources. As BPA shared in its February 20, 2026, comments to Ecology, BPA expects it will be the Market Participant on behalf of some of BPA’s load following customers’ non-federal resources, some of which are located outside of Washington but contractually dedicated to Washington customers’ loads. As a federal Power Marketing Administration, it would be inappropriate for BPA, and thus Northwest ratepayers, to pay state compliance costs for non-federal resources that are owned and operated by private entities.

## **3) WAC 173-441-124(2)(f)(xi) – Electricity Importer Backstop**

The electricity importer scenario as described in WAC 173-441-124(2)(f)(xi) applies to BPA sales to preference customers in Washington located in a multijurisdictional electric company’s BAA. Therefore, the scenario needs to identify the electricity importer where BPA has not voluntarily elected to comply with Washington’s cap-and-invest program. The clearest backstop is WAC 173-441-124(2)(f)(vii), which explicitly identifies the consumer-owned utility purchasing electricity from BPA as the electricity importer.

## **4) WAC 173-441-124 (f)(xii) and (xiii) - Electricity importer for unspecified and BPA backstop**

BPA believes the methods proposed in the draft rules for determining the electricity importer for 1) federal power attributed to Washington in an organized market where BPA has not voluntarily elected to comply with the cap-and-invest program (WAC 173-441-124 (f)(xii)) and 2) the electricity importer for bulk unspecified electricity attributed through an organized market (WAC 173-441-124 (f)(xiii)) are rational ways to allocate the compliance obligation for any emissions associated with these imports in these scenarios.

## **5) WAC 173-441-124(2)(mm) – Netting of Wheel-Throughs**

WAC 173-441-124(2)(mm) defines “common point” for purposes of identifying electricity wheeled through the state to include “...(ii) a POR/POD that is both located fully within Washington state and a multi-state balancing authority area but is

not associated with the multi-state balancing authority area’s common system power pool.” The intent of this section is unclear to BPA. Is this section intended to describe a scheduling point in BPA’s BAA such as the “NWhub” (which the Electric Power Entity White Paper assumes to be in Washington), thus allowing entities (including BPA) to net transactions that are scheduled through the “NWhub”?

BPA continues to reiterate concerns that without similar treatment in the Asset Controlling Supplier (ACS) calculations, netting of certain transactions in the current definition of “Electricity Wheeled through the State” will distinctly disadvantage BPA Washington customers because the wheel-through rules do not allow BPA to utilize similar wheel-through netting in its reporting of GHG emissions. See most recently BPA’s July 30, 2025, comments to Ecology. To the extent the proposed definition of common point is attempting to provide some level of similar treatment across Washington entities, BPA requests Ecology provide this similar treatment for an ACS more clearly with explicit direction in WAC 173-441-124(3)(b)(iii).

#### **6) WAC 173-441-124(2)(pp) and (3)(g) - Market Purchaser**

The proposed reporting requirements for a “Market Purchaser” are ambiguous, not technically feasible, and do not serve a clear purpose. BPA encourages Ecology to revisit what program compliance it needs to determine and what specific, reportable data is necessary to make that compliance determination before drafting reporting requirements.

If Ecology is interested in entity-specific market participant data to support the pro rata allocations necessary to implement draft electricity importer rules under WAC 173-441-124 (f)(xii) and (xiii) (Electricity importer for unspecified and BPA backstop), BPA believes the “Market Purchaser” data requested by Ecology will not support that purpose. More relevant data to support a BPA backstop calculation includes, but is not necessarily limited to:

- a. Total federal system attributed amounts, broken down by contracted-for and non-contracted for attributed amounts
- b. Market Participant allocations of the federal system by contracted for and non-contracted for amounts (to the extent these are outputs of organized market tracking and reporting systems) – to support allocations of federal system attributed amounts at a Market Participant level
- c. Washington retail provider and retail end user BPA purchase amounts – to support allocations of contracted-for federal system amounts from a Market Participant to retail end user level, if applicable, or where market tracking and reporting systems do not provide the allocation information in (b) above
- d. Washington retail provider and retail end user retail sales amounts – to support allocations of non-contracted for federal system amounts

This is known and verifiable data that electric power entities could report to Ecology by June 1 that would provide information to support Ecology determining the pro rata allocation to retail providers and retail end users as described in WAC 173-441-124 (f)(xii). Similar data could support the unspecified pro rata allocation described in WAC 173-441-124 (f)(xiii).

Conversely, the “Market Purchaser” data in the draft rules would not fully support the calculation above and may lead to irreconcilable purchase versus attribution amounts. Additionally, it necessarily requires indirect market purchasers to coordinate with the Market Participant representing their load in the market to calculate some form of presumed “market purchase” amount. This is because the market is settled on a BAA or Market Participant level, not on a retail utility level, thus it is not technically feasible for indirect “market purchasers” to determine an actual market purchase amount. At least in BPA’s situation, this also creates reporting timing issues because BPA cannot complete its reporting to Ecology until nearly June 1, which does not leave adequate time for its customers to take the outputs of that report and arrive at some assumption of a “market purchase amount” for themselves. In fact, Ecology explicitly omitted such a requirement in its last rulemaking on centralized electricity markets. See not-adopted WAC 173-441-124(c)(iv) proposing that “[r]etail providers must report net purchases of electricity from centralized electricity markets.” and BPA comments to Ecology dated August 19, 2024. BPA urges Ecology to likewise omit this requirement and focus on known, verifiable data that can support the pro rata calculations.

#### **7) WAC 173-441-124(3)(a)(xii) - Composite Source Accounting**

The language related to composite source accounting is ambiguous and confusing. The composite source accounting concept should not apply to BPA, but the draft language does not make that clear. For example, BPA’s reporting includes “point[s] of receipt at which electricity generated by multiple facilities or units is aggregated” per the definition of common point in WAC 173-441-124(2)(nn). This includes electricity “supported by Washington generation sources” given many federal resources are physically located in Washington (see WAC 173-441-124(3)(a)(xiii)(A)). And if composite source accounting applies, WAC 173-441-124(3)(a)(xiii)(C) would exclude that electricity from the system emission factor for an ACS. BPA requests Ecology clarify this language so that it is understood to be inapplicable to reporting provided by BPA as an ACS.

#### **8) WAC 173-441-124(3)(b) – Unspecified Power Losses**

In reporting unspecified sources, WAC 173-441-124(3)(b)(i) directs the reporting entity use a loss factor of “1.0 for electricity from a centralized electricity market **that accounts for a two percent transmission loss factor** in the attribution of energy to Washington” (emphasis added) and use a loss factor of “1.02... for electricity from a centralized electricity market that does not account for losses in attribution of energy to Washington.” BPA suggests Ecology reword this to require application of a loss

factor only where the organized market does not otherwise account for losses; otherwise, the current language as drafted does not specify what loss factor, if any, should be applied if the market uses a percentage other than two percent. For example, BPA's understanding is Markets+ optimization includes marginal loss sensitively factors that approximate the change in marginal system losses for a change in energy dispatch. Thus, losses reflective of actual system conditions are included.

BPA appreciates Ecology's continued efforts to encourage dialogue on these topics. Please contact me if you have questions about these comments.

Thank you,

A handwritten signature in black ink, appearing to read "Alisa Kaseweter", with a long horizontal flourish extending to the right.

Alisa Kaseweter  
Climate Change Specialist  
Intergovernmental Affairs  
Bonneville Power Administration  
alkaseweter@bpa.gov  
503.230.4358