

**CONTRACT LOCK: TBL EVALUATION OF PUBLIC CUSTOMERS’ PROPOSAL
PTP REPLACEMENT SERVICE AGREEMENT¹**

Public Customer Proposal <i>(Section reference in this column correlates to the section of the customer replacement agreement proposal)</i>	Preliminary TBL Recommendation	Explanation/Comments
1. Transmission Provider provides firm transmission from PORs to PODs, not to exceed Reserved Capacity. <i>(Section 4)</i>	<ul style="list-style-type: none"> ▪ Lock OATT Section 13.7(c) (except 3rd and 5th sentences of section 13.7(c)): “Classifications of Firm Transmission Service” 	
2. Transmission Provider plans, constructs, O&M to provide sufficient firm service. <i>(Section 4)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ Customer proposal modifies existing OATT obligations.
3. Transmission Provider provides LT Firm PTP between POR and POD up to amount of Reserved Capacity <i>(Section 5a)</i>	<ul style="list-style-type: none"> ▪ Lock OATT Section 13.6: “Curtailement of Firm Transmission Service” ▪ Lock OATT Section 13.7(c) (except 3rd and 5th sentences of section 13.7(c)): “Classifications of Firm Transmission Service” 	
4. Uniform pricing –Lock of rolled-in rate for existing service and load growth, including congestion costs, transmission investment, segmentation, OR test. <i>(Section 5b)</i>	<ul style="list-style-type: none"> ▪ Rolled-in pricing for existing load only. ▪ Rate issue, subject to 7(i). 	
5. Customer has right to designate System POR vs. individual federal resources <i>(Section 5c)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ Customer proposal modifies existing OATT obligations. ▪ Business Practice—TP must be responsive to changing operational requirements.

¹ Other OATT sections, attachments, or capitalized terms referenced within a “locked” OATT section are not locked unless expressly stated.

Public Customer Proposal <i>(Section reference in this column correlates to the section of the customer replacement agreement proposal)</i>	Preliminary TBL Recommendation	Explanation/Comments
6. Customer has ability to change PORs and PODs within Reserved Capacity (Firm and Non-Firm) <i>(Section 5d)</i>	<ul style="list-style-type: none"> ▪ Lock OATT Section 22.1: “Modifications on a Non-Firm Basis” (w/limitation to existing levels of service). Lock OATT Section 22.2: “Modifications on a Firm Basis”² (w/limitation to existing levels of service). 	<ul style="list-style-type: none"> ▪ Uncertain how congestion costs and losses will be treated for non-firm modifications and firm redirects under RTO.
7. Changes to PORs and PODs in excess of Reserved Capacity (Non-Firm) <i>(Section 5e)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ Customer proposal is for new uses, and subject to congestion costs. ▪ Customers have ability to convert to NT.
8. Transmission Provider allows Contiguous PODs <i>(Section 5f)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ Business Practice—TP must be responsive to changing operational requirements. ▪ Replacement Service Agreements will continue to offer contiguous PODs for those that currently have them, subject to TBL business practices.
9. Increases to Reserved Capacity <i>(Section 5g)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ Option to convert to NT for load growth.
10. Procedures for changes to Pre-Schedules <i>(Section 5h)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ TBL objective is to preserve scheduling protocols that permit changes without penalty; however objective cannot be guaranteed. ▪ Business Practice—TP must be responsive to changing operational requirements.

² OATT Section 17 “Procedures for Arranging Firm Point-to-Point Transmission Service” reference in OATT section 22.2 will not be locked.

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11. Transmission Provider shall allow Dynamic Scheduling. <i>(Section 5i)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ Business Practice—TP must be responsive to changing operational requirements.
12. Re-dispatch of non-Federal resources only with express Transmission Provider and customer agreement. <i>(Section 5j)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ No OATT provision addressing this issue.
13. Congestion Costs shall not be included in PTP rates. <i>(Section 5k)</i>	<ul style="list-style-type: none"> ▪ Congestion costs, in addition to NT re-dispatch costs, would be spread over all non-converted contracts. ▪ Rate issue, subject to 7(i). 	<ul style="list-style-type: none"> ▪ TBL objective is to avoid congestion costs for non-converted contracts; however that objective cannot be guaranteed. BPA must be able to recover its costs.
14. Transmission Provider allows self-supply of Ancillary Services. <i>(Section 5l)</i>	<ul style="list-style-type: none"> ▪ Needs further discussion. 	<ul style="list-style-type: none"> ▪ RTO will be the Control Area Operator. Approaches to ancillary services may evolve over time.
15. Generation Imbalance (“reserved” by public customers) <i>(Section 5m)</i>		<ul style="list-style-type: none"> ▪ Awaiting proposal from public customers.
16. Lock Real Power Losses methodologies and return flexibilities. <i>(Section 5n)</i>	<ul style="list-style-type: none"> ▪ Incorporate new contract language that locks average loss methodology for existing uses. ▪ No lock for return flexibilities or new firm and non-firm uses. 	<ul style="list-style-type: none"> ▪ TBL objective is to adopt new language that locks an average loss methodology for existing uses. BPA must recover all costs. ▪ Return flexibilities: Business Practice—TP must be responsive to changing operational requirements.
17. Transmission Provider allows “blind assignments” of transmission service. <i>(Section 5o)</i>	<ul style="list-style-type: none"> ▪ No lock on blind assignments. ▪ Lock OATT Section 23: “Sale or Assignment of Transmission Service” 	<ul style="list-style-type: none"> ▪ Blind assignments not provided for in the OATT. ▪ Uncertain how congestion costs and losses will be treated for non-firm modifications and firm redirects under RTO.

Shading denotes items not currently provided for in the OATT.

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18. Reservation Priority <i>(Section 5p)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ TBL proposing 20-year Replacement Service Agreement for existing service.
19. TP will not require or prohibit participation in energy markets. <i>(Section 5q)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ TOA allows for conversion to RTO service.
20. Incorporate OATT provisions by reference: <ul style="list-style-type: none"> ▪ <u>Section 13.6</u>, “PTP Curtailment” ▪ <u>Section 33.4</u> “Curtailements of scheduled Deliveries” ▪ <u>Section 33.5</u>, “Allocation of Curtailements” <i>(Section 5q)</i>	<ul style="list-style-type: none"> ▪ Lock OATT Section 13.6: “Curtailement of Firm Transmission Service” 	<ul style="list-style-type: none"> ▪ No lock of OATT Section 33.4 and 33.5—applicable to NT Service.
21. Locked sections of the Replacement Service Agreement govern OATT <i>(Section 6)</i>	<ul style="list-style-type: none"> ▪ Add contract language providing for locked provisions of Replacement service agreement to govern OATT. ▪ OATT governs non-locked provisions. 	
22. Amendments to the Replacement Service Agreement if $\frac{3}{4}$ of participants agree to offer amendment, then all participants must take amendment. <i>(Section 7)</i>	<ul style="list-style-type: none"> ▪ Add contract language to incorporate original TBL proposal of 2/3 consensus. ▪ Customers may recommend changes. ▪ TP proposes any OATT changes; if approved by 2/3 participants, all participants must accept. ▪ Amendments subject to FERC approval. 	<ul style="list-style-type: none"> ▪ TBL believes 2/3-approval of participants provides adequate representation.
23. Mandatory Dispute Resolution for Replacement Service Agreement Disputes <i>(Section 8)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ OATT procedures in Section 12 or current remedies of law will apply.
24. Provide all notices affecting Replacement Service Agreement to designated representatives. <i>(Section 9)</i>	<ul style="list-style-type: none"> ▪ Incorporate existing contract provision for notices. 	

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25. Incorporate OATT, Exhibit A & B; capitalized terms <i>(Section 10)</i>	<ul style="list-style-type: none"> ▪ Incorporate OATT, OATT Exhibits and Attachments. 	
26. Interpret Replacement Service Agreement in accordance with federal law. <i>(Section 11)</i>	<ul style="list-style-type: none"> ▪ Incorporate existing contract provision for federal law interpretation. 	
27. Successors and assigns provisions for Replacement Service Agreements <i>(Section 12)</i>	<ul style="list-style-type: none"> ▪ Incorporate existing contract provision for successors and assigns. 	
28. Waiver of Rights <i>(Section 13)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ TBL must maintain non-discriminatory OATT. Any waiver must apply to all transmission customers.
29. Applicability of Public Law 104-134, section 3201(i) <i>(Section 14)</i>	<ul style="list-style-type: none"> ▪ Incorporate current contract provisions for PL 104-134 applicability. 	
30. Customer access to all Transmission Provider information between TBL/PBL re: operation of fed power resources and allocation of ATC. <i>(Section 15).</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ Customer proposal modifies existing TP obligations. Other remedies available.
31. Specific proposal for remedy for any breach of Replacement Service Agreement <i>(Section 16)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ Customer proposal modifies existing obligations. This requires a waiver of sovereign immunity—beyond BPA authority.
32. Include definitions within the Replacement Service Agreement <i>(Section 17)</i>	<ul style="list-style-type: none"> ▪ No lock. 	<ul style="list-style-type: none"> ▪ Circumstances beyond TBL control may require TP to modify definitions.