

March 18, 2010

Federal Energy Regulatory Commission  
Secretary of the Commission  
888 First Street, NE  
Washington, DC 20426

Filed Electronically via <http://ferc.gov/>

NRU's Comments on FERC Docket No. RM10-12-000

The Federal Energy Regulatory Commission (Commission) is seeking comments on whether the Commission's Electric Quarterly Report (EQR) filing requirements that require information regarding the availability and prices of wholesale electric energy and transmission should be applied to market participants that are excluded from the Commission's jurisdiction under Section 205 of the Federal Power Act (FPA). Northwest Requirements Utility's comments below request that retail load serving utilities, such as its members, be excluded from these requirements. Northwest Requirements Utilities is a non-profit trade association that represents the common interests of 50 Bonneville Power Administration (BPA) load following customers.

Section 201(f) of the FPA excludes certain entities (i.e., federal entities, municipalities, and certain cooperatives with Rural Electrification Act financing and that sell less than 4,000,000 MWh of electricity per year) from the Commission's jurisdiction. However, Section 220 of the FPA directs the Commission "to facilitate price transparency in markets for the sale and transmission of electric energy in interstate commerce..." and states that the Commission may obtain "information about the availability and prices of wholesale electric energy and transmission service" from "any market participant." The question here is whether and to what extent should the Commission require market data of entities that in the past have been exempt from Commission jurisdiction?

The Commission recognizes that there may be little value in requesting data from all market participants where it asks that following question; "2) Should the Commission establish a threshold pursuant to which market participants (that are excluded from the Commission's jurisdiction under section 205 of the FPA) with a *de minimis* market presence would not be subject to the EQR filing requirements? If so, what should that threshold be and on what basis should it be established (i.e., by total annual sales, total annual sales for resale, power exchanges delivered)?"

NRU's member utilities purchase almost all of their electric power from BPA and also rely on the agency for Network Transmission services. BPA purchases and sells power on a daily and hourly basis and schedules delivery of this power to NRU's membership to meet their retail loads. To the extent that these utilities purchase power in the future to meet load growth these purchases will either be met by BPA or through long term power purchases. Even for our largest members, their expected annual growth in future power supply needs beyond the current generation output of the BPA-managed Federal Base System is in the range of 1 to 2 aMW per year.

The reporting requirements contemplated within RM10-12-000 are not relevant to NRU's members. Our members are only interested in power supply that is required to serve retail load. The load following customers of BPA believe that no value would be served by extending these reporting requirements to these types of utilities. The NIO generally cites expanded information that the Commission staff may be able to gather as a result of imposing the reporting requirements of Section 220. However, there is nothing in the NOI that demonstrates that Commission mandated reporting requirements would yield information from smaller utilities that will either be beneficial for these utilities or particularly useful to the Commission in facilitating price transparency.

Requiring that these utilities submit data to the Commission would be a burden on these utilities and would also burden the Commission. Many of our members have very limited staff and limited budgets devoted to distribution services. In reading through Docket No. RM10-12-000 we see nothing that provides a solution to a problem that our members are facing, or where the proposed reporting requirements would be of any value to them or the Commission. Any such reporting requirements if imposed by the Commission should be limited to those entities that are significantly involved in market transactions.

If the Commission's goal is to collect information about the availability and prices of natural gas and electricity sold are wholesale in interstate commerce "to facilitate price transparency" then its focus should be on true day to day market participants. We therefore believe that a reporting threshold of 4,000,000 MWh based on total annual sales is appropriate.

Thank you for the opportunity to comment. If you would like additional information or clarification regarding any of these points, please let us know.

Best Regards,



John D. Saven  
Chief Executive Officer

CC: Members of Northwest Requirements Utilities