

**BOSTON PACIFIC COMPANY, INC.**

INFORMATION, INSIGHT, AND IMPACT FOR THE ENERGY INDUSTRY

SUMMARY OF THE EXPERT REPORT  
OF CRAIG R. ROACH  
(dated September 28, 2010)

Régie de l'énergie  
DOSSIER R-3669-2008  
DÉPOSÉE EN AUDIENCE Phase 2  
Date 19/04/2011  
Pièces n° C-6-105 EBS

Concerning  
The Transmission Planning Process (Attachment K)

On behalf of  
Énergie Brookfield Marketing, Inc.



# THE TRANSMISSION PLANNING PROCESS

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## A. HQT's proposal for transmission planning

### 1. Order 890

- FERC sought significant deepening of the transmission planning process

*In Order No. 890, the Commission reformed the pro forma OATT to clarify and expand the obligations of transmission providers to ensure that transmission service is provided on a non discriminatory basis...To remedy the potential for undue discrimination in planning activities, the Commission directed all transmission providers to develop transmission planning processes that satisfy nine principles (discussed below) and to clearly describe those processes in a new attachment (Attachment K) to their tariffs. (128FERC ¶61,264 at ¶ 40)*

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## 2. HQT's proposal

- Clearly not responsive to call for significant deepening
- At a minimum, should have written (a) a description of the process and (b) how it meets the nine criteria – so an actual Attachment K should have been submitted

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## B. HQT's arguments against Attachment K (via Mr. Rose)

1. Attachment K not required under reciprocity
2. HQT suffers none of the transmission problems which motivate Attachment K
3. HQT's existing process is comparable to an Attachment K

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C. Not required under reciprocity

1. HQT offers no specific citations from FERC

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## 2. FERC precedents clear

- Attachment K is part of reciprocity

*With regard to non-public utility transmission providers, we reiterate our expectation of participation in the planning processes established pursuant to Order No. 890 consistent with their reciprocity obligations. Reciprocity dictates that non-public utility transmission providers that take advantage of open access due to improved planning should be subject to the same requirements as jurisdictional providers. A non-public utility transmission provider with reciprocity obligations that declines to adopt a planning process that complies with Order No. 890 therefore may not be considered to be providing reciprocal transmission service and may be at risk of being denied open access transmission services by a public utility transmission provider. (Order 890A at ¶214)*

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- Required of all non-public utilities including “foreign” utilities

*The NOPR proposed to retain the existing reciprocity policy as applied to foreign utilities doing business in the United States, which we adopted pursuant to sections 205 and 206 of the FPA. By maintaining the same reciprocity requirement for these foreign utilities as for domestic, non-public utilities, the Commission stated that it would ensure that foreign entities will continue to be treated no less favorably than domestic, non-public utilities. (Order 890 at ¶167)*

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D. No transmission problems

1. Attachment K requirement not a conditional requirement

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## E. HQT process comparable?

1. No; where is opportunity for “timely and meaningful input” by customers?

*We reiterate, however, that the planning process must provide for the timely and meaningful input and participation of all interested customers and other stakeholders in the development of transmission plans. Customers and other stakeholders therefore must have the opportunity to participate at the early stages of the development of the transmission plan, rather than merely given an opportunity to comment on transmission plans that were developed in the first instance without their input. (Order 890A at ¶188)*

2. Where is explicit showing that 9 principles are met?

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3. In the Big Rivers Case it is clear that stakeholder participation was important to meeting at least four of the nine FERC principles – coordination, openness, transparency, and economic planning studies

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4. Bonneville Power Administration (BPA) is another important non-public utility that has an Attachment K. Its Attachment K lists ways customers can participate in the planning process

- “meetings specifically designed to gather input and comment”
- Putting “planning studies and supporting assumptions” out for comment
- “Posting the BPA Plan”

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## F. Bottom line policy recommendation

1. Reject HQT's arguments against providing Attachment K
2. Require HQT to create a “coordinated, open, and transparent” planning process
3. Assure an opportunity for “timely and meaningful input” by customers