



Provider of Choice Workshop Contract Development

July 16, 2024

PROVIDER OF CHOICE

**POST
2028**



Format – Webex Only Meeting

- Presenters will take pauses throughout the meeting.
 - **Webex:** Write it in the Webex chat or raise your Webex hand; when called on, mute/unmute yourself.
- Questions will be addressed in the order received.
- When speaking, please state your name and organization.

Webex:

Mute/unmute

Mute

Start video

Share

Record

Hand

Smiley

More

Close

Raise hand



Today's Workshop

Agenda July 16, 9am – 12pm

Topic	Presenter(s)	Est'd Time
Welcome	Kelly Olive, Contract Lead, Provider of Choice	9am – 9:05am
Contract Drafting Progress & Plans	Kelly Olive	9:05am – 9:30am
Contract Section Drafts Follow ups and New Sections for Discussion	Robyn Miller Kelly Olive Liz Oberhausen	9:30am – 11:55am
Wrap Up	Kelly Olive	11:55am-12pm

Note: Times are approximate. Est'd break midmorning.

Workshop Norms & Expectations

- **Bonneville:** Provide open and inclusive opportunities for discussion and feedback.
- **Participants:** Provide feedback and share perspectives during workshops.
- **All:** Respect one another and assume good intentions. Bring a constructive mentality. Be solution-oriented. Identify “parking lot” items for distracting or off-topic issues.

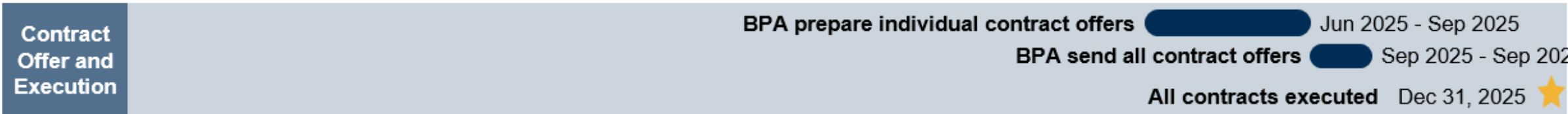
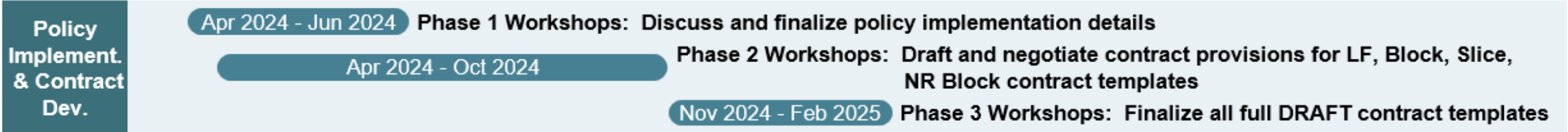




Contract Progress & Plans

Detailed Contract Phase Timeline

Last Updated 4/9/2024



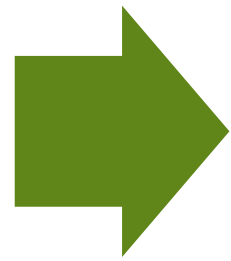


Policy Implement. & Contract Dev.



Phase 1 objectives: Discuss and finalize policy implementation details

- Discuss outstanding policy implementation details that were not included or detailed in the Final Policy.
- Develop and discuss the details on certain topics necessary prior to developing redlines.
- This phase must be complete by the end of June 2024 in order to have sufficient drafting time.



Phase 1 is substantively complete.

Several known product design details remain to be discussed. These will be scheduled and layered into the workshop time set aside for contract draft discussions.

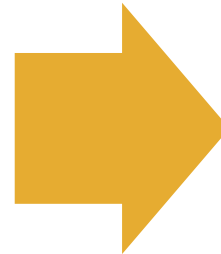


Policy Implement. & Contract Dev.



Phase 2 objectives: Share contract drafts; redlines and original drafting

- Negotiate both heart-of-the-deal provisions and ‘boilerplate’ provisions
- Informed by Phase 1 discussions; process starts before Phase 1 is complete.



Phase 2 is in flight.

Real progress has been made. Remaining contract section drafting is scheduled and planned; is slated for substantive completion by end of October 2024.



Policy Implement. & Contract Dev.

Apr 2024 - Jun 2024 Phase 1 Workshops: Discuss and finalize policy implementation details

Apr 2024 - Oct 2024

Phase 2 Workshops: Draft and negotiate contract provisions for LF, Block, Slice, NR Block contract templates

Nov 2024 - Feb 2025

Phase 3 Workshops: Finalize all full DRAFT contract templates

Phase 3 objectives: Finalize all remaining contract sections

- Stitch together contract sections into a united draft contract template.
- Revisit sections previously discussed to ensure section dependencies and inter-dependencies are fully vetted.
- Wrap up any section-by-section discussions needed.

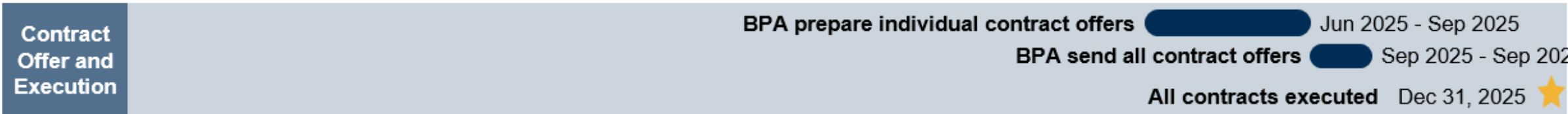
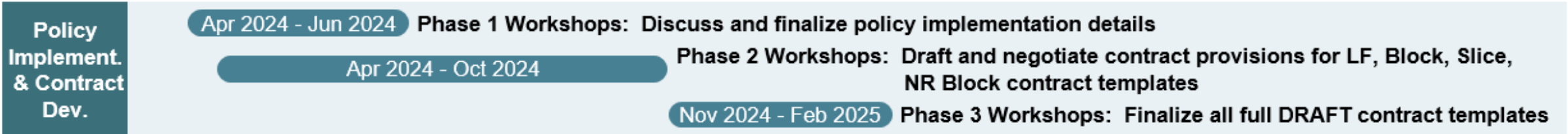


Phase 3 not yet started.

First release of draft contract master template planned for late October.
Focus on remaining sections, final push to finalize contract templates.

Detailed Contract Phase Timeline

Last Updated 4/9/2024



Contract Development Progress

- See Word document that shows status of contract sections moved to draft contract template and contract sections in flight

Project Management Plan

- In late October/early November 2024, we will revisit contract development progress in concert with product design completion.
 - Measure progress against current plan and schedule.
 - Assess adjustments to individual contract templates (LF, Block, Slice).
 - Assess needs for any intensive workshops in January, with an eye on the schedule to release the draft master templates for public comment in mid-March 2024.
- Schedule is based on best available information.
 - Reflects estimated level of agenda and review time needed to work through drafts.
 - Incorporates agenda time needed for product design process and PRDM drafts.
- BPA remains committed to notifying of workshop time and date adjustments and cancellations a min. 2-3 weeks in advance, with more advance notice provided for planned hybrid workshops.



Contract Development Approach Recap

Contract Drafting Strategy and Approach

- Make effective use of everyone's time.
- Use Regional Dialogue as a starting point, as applicable.
- Three-touches (at least).
- Informal template releases for comment during Phases 2 and 3.
 - Est'd first draft master contract template to be released at end of October 2024.
- Formal comment period when final draft templates are released in March-April 2025.

Contracting Norms and Expectations

Both customers and BPA:

- Focus on the contract, common goals.
- Establish priorities and stick to deadlines.
- Shared expectations, responsibility for communications.
- Conversation, questions, and feedback on language/editing must happen in workshops.

BPA:

- Post contract redlines at least 1 week before workshop.
- Provide **right-sized comment windows**: One-week comment window post-workshop as a general rule, but can extend if needed.
- Revisit language/comments at start of subsequent workshops.

Getting to Draft Master Contract Templates

- Successful negotiations result in contract language that is desirable and understood by all parties.
- Section-by-section in-workshop discussion and written feedback on requested changes is critical to success at later stages in the process.
- There will be opportunity to revisit all provisions as a cohesive whole when BPA issues a draft master contract templates.



Contract Sections

Contract Sections

See individual contract sections. Overview:

- **Follow Up**
 - Sec 15 Metering
 - Sec 16 Billing and Payment
 - Sec 17 Information Exchange and Confidentiality
- **Initial Workshop**
 - Sec 3.5.2 Tier 1 Allowance



Wrap Up

Next Up

- Please send comments/markups on contract sections to post2028@bpa.gov
- Next workshops:
 - See updated workshop schedule for details
 - July 23 August 12





Thank you.

Find Us:

Email: post2028@bpa.gov

Web: [Provider of Choice - Bonneville Power Administration \(bpa.gov\)](https://www.bpa.gov)



Appendix

Provider of Choice Timeline

Last Updated 12/12/2023



Policy & ROD

- ★ **Concept Paper** July 14, 2022
- Policy Workshops** Jul 2022 - Apr 2023
- ★ **Draft Policy Release** July 20, 2023
- Public Comment Period** Jul 20, 2023 - Oct 13, 2023
- Early Planned Product Workshops** Sep 2023 - Dec 2023
- ★ **Final Policy and ROD Release** March 21, 2024

Policy Implementation & Contract Development

- April 2024 - Feb 2025 **Workshops and Contract Drafting**
- Mar 2025 - Apr 2025 **All DRAFT Contract Templates: Public Comment Period**
- All FINAL Contract Templates Released** ★ Jun 2025
- Contract ROD Released** ★ Sep 2025
- Offer and Execute Contracts** Sep 2025 - Dec 2025
- All Contracts Executed** ★ Dec 2025

System Readiness & Go Live

- Jun 2024 - Sep 2028 **Contract Delivery and System Readiness Processes**
- Power Deliveries Under New Contracts Begin** October 1, 2028 ★

Post-2028 and Other Related Processes

Last Updated 6/7/2024

