

Docket UE-190663 – Attachment A to Staff memo, September 24, 2020

NIPPC REC 8/17 comments	Status	PPA Section references	Staff Recommendation
A. 90-110 performance band – page 2	Contested	1, 5, 7, 11.3	Direct Avista to remove all references to the 90-110 performance band. Specific sections of PPA 1.7, 1.23, 1.30, 1.43, 1.44, 1.46(edit), 1.47, new 1.52, 5.1, 5.2, 7.3.1, 7.3.2, 7.3.3, 11.3
B. remove contract reopener – page 13, 17	Resolved	20	N/A
C.1. Off-system sales addendum –page 19	Contested	see Exhibit J 7.3, 7.3.2, 11.3	Direct Avista to negotiate and file a standard off-system sales addendum.
C.2 Net output measured at point of interconnection – Page 21	Contested	1.26	Reject the arguments of NIPPC/REC because adjustments for losses between the point of interconnection and the point of delivery for off-system sales are clearly reasonable and anticipated by commission rule (WAC 480-106-020(4)).
C.3 Scheduling – Page 23	Contested	6.2, 6.4, 6.7	Reject the arguments of NIPPC/REC because the language already allows the parties to revisit scheduling if regional changes occur.
C.4 Transmission term – 5 yrs with right of renewal – page 24	Resolved	12.1	N/A
D.1a Initial capacity determination after construction – page 25	Contested	3.4, 11.8	Reject the arguments of NIPPC/REC because the initial capacity determination and any updates can be included in the project milestones.
D.1b Equipment change is not a change in fuel type – page 25	Contested	11.8	Direct Avista to allow a QF to change equipment type for a primary energy source unless it also increases the facility nameplate capacity rating.
D.2 allow upgraded facilities to complete their underlying contract – page 26	Contested	11.8	Direct Avista to allow a QF to reasonably upgrade and modify its facilities and continue using the rates in the existing PPA.
E. Reasonable cure period – page 30, 31	Contested	4.2, 13.6	Direct Avista to clarify where a cure period applies.
F. Provide permits, licenses, etc, not a legal opinion – page 30	Resolved	3.2, 9.3.3	N/A
G. termination upon 6-month failure to deliver –	Resolved	17.1.g, 17.2	N/A

page 36			
H. transferred environmental attributes – page 38	Resolved	8	N/A
I. remove security language – page 38	Resolved	9	N/A