



**Shaping a new
tomorrow, today.**

June 8, 2023

Rebecca Johnson, Transmission and Power Markets Advisor at (720) 376-2400,
Western Area Power Administration,
12155 West Alameda Parkway
Lakewood, CO 80228-8213.
SPP-Comments@wapa.gov

RE: Comments of the Town of Gilbert, Arizona (Town) in response to the Recommendation for the Western Area Power Administration's Rocky Mountain Region and Colorado River Storage Project Management Center to Pursue Final Negotiations Regarding Membership in the Southwest Power Pool Regional Transmission Organization, and for the Upper Great Plains Region to Expand its Participation ("Recommendation") originally published in the Federal Register (88 FR 26298) on April 28, 2023

The Town respectfully provides the following to the Recommendation published in the Federal Register (88 FR 26298) on April 28, 2023.

1. The Town is a municipal political subdivision of the State of Arizona serving the electric requirements of its municipal, water, and wastewater facilities in Maricopa County, Arizona.
2. The Town is an existing Federal Preference customer contractor. NERC and other regional bodies have made the Town aware that there is a significant capacity shortfall in the Desert Southwest region. Such capacity shortfall, coupled with increased volatility in the wholesale power markets, makes it vitally important all of the elements of the CRSP resource remain available to and accessible by Desert Southwest customers.
3. Membership in the Southwest Power Pool Regional Transmission must ensure that the attributes of the CRSP resources are preserved for all customers. As a condition of WAPA agreeing to enter into final negotiations with SPP, the Town is requesting WAPA ensure equal and full access to the CRSP resource and resource attributes for FES customers located inside and outside of the SPP RTO footprint in accordance with existing FES contracts. Further, WAPA must indicate that it will not finalize membership in SPP for CRSP if WAPA cannot secure the necessary arrangements to provide the benefits of FES contracts through participation in SPP. Failure to mandate this condition as a prerequisite to WAPA agreeing to final negotiations, would suggest that WAPA does not intend to address the discriminatory treatment and disadvantage to customers located outside of the footprint. Customers must be assured the same attributes of the CRSP resources will be provided to the Federal and other customers located inside and outside of the SPP RTO footprint.



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4. Consistent with Section 1232 of the Energy Policy Act of 2005, WAPA must specifically delineate how any final agreement executed between SPP and WAPA will ensure consistency in delivering the full benefits of existing FES contracts in the final decision to proceed with negotiations. Failure to respond to this request and document an intent to honor contractual obligations will indicate that WAPA does not intend to honor the terms and conditions of the FES contracts and demonstrate an anticipatory abrogation of WAPA's contractual obligations to FES contractors.

RESPECTFULLY SUBMITTED this 8th day of June 2023

Sincerely,

A handwritten signature in black ink that reads "jessica L Marlow". The signature is written in a cursive, flowing style.

Jessica Marlow, P.E.
Public Works Director
Utilities Board Chairman