

purchase firm power to serve PF-eligible load up to a contractually defined amount, referred to as the customer's Contract High Water Mark (CHWM), at the applicable PF Tier 1 rate. Customers may also purchase firm power for any PF-eligible load above a customer's CHWM, referred to as the customer's Above-Contract High Water Mark (Above-CHWM) load. A customer may elect to serve their Above-CHWM load either with firm power from Bonneville at a PF Tier 2 rate, from its own dedicated resources, or both. The specific terms and provisions of the tiered rate construct will be established in the 2029 Public Rate Design Methodology (PRDM), which will be determined in a separate process.

In the Policy, Bonneville establishes how it will calculate Provider of Choice CHWMs. The calculation recognizes customer investments in conservation and non-Federal resources in support of the prior long-term Regional Dialogue Policy and contracts. The calculation also adjusts CHWMs in recognition of certain circumstance relative to the changing energy landscape and customers' needs. Bonneville will not revisit the calculation in a future process or in the Provider of Choice contracts.

One of the Policy's goals is to offer customers flexibility to invest in and use non-Federal resources to serve their retail load growth needs. Bonneville balances the flexibility offered with the tiered rates foundational tenet to insulate customers from costs associated with other customers' resource choices for serving load growth. Bonneville offers several carefully constructed non-Federal resource flexibilities to provide customers with opportunities to invest in non-Federal resources while limiting the cost impact to other customers.

Under the Policy, Bonneville recognizes the need for added flexibility around customers' non-Federal resources and permits customers to add a defined amount of non-Federal resources to offset their CHWM load. This will reduce the amount of power a customer is obligated to purchase from Bonneville without triggering take-or-pay provisions and without reduction to the customer's associated CHWM. Bonneville will also not track non-Federal resources with a nameplate capacity of less than one MW in the contract. Customers will retain the ability to serve their Above-CHWM load with non-Federal resources. Finally, Bonneville will continue to propose to recover the cost of a limited amount of transfer service in the PF Tier 1 rate for non-Federal resources for its customers

that are served off third-party transmission systems.

The Policy addresses why Bonneville cannot offer a 100% carbon-free product at this time. Bonneville addresses some of the barriers to offering such a product and commits to continuing to look for ways to further improve its nearly carbon-free emissions rate. The Policy also addresses how Bonneville is proposing to approach its conservation (energy efficiency) program after Oct. 1, 2028.

The Policy does not address how the products and services described will be priced. Bonneville has started the PRDM process to discuss rate designs and pricing. The PRDM will replace Bonneville's Tiered Rate Methodology that expires on Sept. 30, 2028. The PRDM and subsequent Northwest Power Act section 7(i) rate proceedings will determine rates for the products and services offered under the Provider of Choice contracts.

Following the Policy release, Bonneville will initiate a follow-on process to implement the Policy through negotiation and development of contracts with the goal to offer and execute new long-term contracts by late 2025. Bonneville will additionally update other business processes to ensure implementation of the Policy, including the PRDM. Bonneville will use the time between contract execution and the start of power deliveries on Oct. 1, 2028, to ready systems to ensure a smooth transition between contracts.

Signing Authority: This document of the Department of Energy was signed on March 12, 2024, by John Hairston, Administrator and Chief Executive Officer of the Bonneville Power Administration, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by the Department of Energy. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned Department of Energy Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on March 13, 2024.

Treana V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 6440-010]

Lakeport Hydroelectric One, LLC and New Hampshire Department of Environmental Services; Notice of Reasonable Period of Time for Water Quality Certification Application

On March 5, 2024, Lakeport Hydroelectric One, LLC (Lakeport) and New Hampshire Department of Environmental Services (New Hampshire DES) (collectively, co-applicants) filed with the Federal Energy Regulatory Commission (Commission) a letter received from the New Hampshire DES—Watershed Management Bureau verifying receipt of a complete request for a Clean Water Act section 401(a)(1) water quality certification from the co-applicants, in conjunction with the above captioned project, on March 4, 2024. Pursuant to section 4.34(b)(5) of the Commission's regulations,¹ we hereby notify the New Hampshire DES—Watershed Management Bureau of the following:

Date of Receipt of the Certification Request: March 4, 2024.

Reasonable Period of Time to Act on the Certification Request: One year, March 4, 2025.

If the New Hampshire DES—Watershed Management Bureau fails or refuses to act on the water quality certification request on or before the above date, then the certifying authority is deemed waived pursuant to section 401(a)(1) of the Clean Water Act, 33 U.S.C. 1341(a)(1).

Dated: March 15, 2024.

Debbie-Anne A. Reese,

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 3451-047]

Beaver Falls Municipal Authority; Notice of Scoping Meetings and Environmental Site Review and Soliciting Scoping Comments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

¹ 18 CFR [4.34(b)(5)/5.23(b)/153.4/157.22].