

Hunter Hydas
Enterprise Planning
1101 Market Street
Chattanooga, TN 37402

Amy Henry
Enterprise Relations + Innovation
400 West Summit Hill Dr., WT 9D
Knoxville, TN 37902

Ashley Pilakowski
NEPA Project Manager
400 W. Summit Hill Dr., WT 11D
Knoxville, TN 37902

VIA ELECTRONIC MAIL 03/26/2019

Re: Freedom of Information Act and NEPA Request: Documents Regarding Draft 2019 Integrated Resource Plan

Dear Mr. Hydas, Ms. Henry, and Ms. Pilakowski,

The Southern Alliance for Clean Energy (SACE) is requesting the public release of the following documents from the Tennessee Valley Authority (TVA) related to the TVA draft 2019 Integrated Resource Plan (IRP) and accompanying Environmental Impact Statement (EIS), as affirmatively required by the Freedom of Information Act, 5 U.S.C. § 552, as amended and the National Environmental Policy Act (NEPA).

Recognizing that “public scrutiny [is] essential to implementing NEPA,” 40 C.F.R. § 1500.1(b), NEPA’s implementing regulations mandate that TVA “shall to the fullest extent possible . . . [e]ncourage and facilitate public involvement.” *Id.* § 1500.2 (emphasis added). To accomplish that objective, the regulations require that “environmental information [be] available to public officials and citizens before decisions are made and before actions are taken” so that “public officials make decisions that are based on understanding of environmental consequences.” *Id.* § 1500.1(b), (c). Moreover, while TVA is permitted to “incorporate material” into its EIS, the regulations mandate that any such incorporated material must be “reasonably available for inspection by potentially interested persons within the time allowed for comment,” and that any “[m]aterial based on proprietary data which is itself not available for review and comment shall not be incorporated by reference.” *Id.* § 1502.21.

To comply with these FOIA and NEPA mandates, TVA must make the following documents publicly available by providing them to SACE, in electronic format wherever possible, with

sufficient time to incorporate them into the “time allowed for comment” on the IRP and EIS:

1) A document or documents¹ showing TVA’s assumed capital costs in the base case strategy for all storage, solar, and wind resource options for each year of the forecast (2019-2038). Although footnote 5 to the Table A-1 on pages A-4 and A-5 of the draft IRP states that “The capital costs for solar and wind assume that tax credits expire/decrease per current federal law,” and that “Solar capital costs are assumed to decline over time per recent trajectories and wind capital costs increase at less than the rate of inflation,” The actual trajectories that TVA incorporated into the IRP and EIS have not been included in the public IRP documents.

2) A document or documents showing the incentives (in dollars per kilowatt (kW), dollars per kW-year, or megawatt-hour (MWh) that TVA assumed for each “case” in the IRP and EIS, where a case is defined as each combination of a strategy and scenario (for a total of 30 cases in the draft IRP) for all types of the following resource options: energy efficiency, solar, storage, wind, and small modular reactors.

3) A document or documents showing the assumed hourly generation (i.e. the “solar shape” assumption mentioned on pages 4-9 and A-9) for all types of solar resource options (there are five listed in Table A-1 on page A-5) and location(s) used in the Intermittent Resources study, the Flexibility study, and the capacity expansion modeling for the IRP.

4) A document or documents showing the formula and data used for calculating the 2020 \$/MWh column for energy efficiency costs in Figure B-9 on page B-10.

5) A document or documents showing all annual and cumulative capacity limits, in terms of MW per year, total MW, or as a percent of capacity or energy, placed on the capacity expansion modeling for the IRP for all of the types of the following resource options: energy efficiency, solar, storage, and wind.

6) A document or documents showing all assumed costs and outages related to the assumed relicensing of existing nuclear power plants in Scenarios 1-5, including the magnitude of those costs and outages and the year(s) they occur.

7) A document or documents showing all assumptions related to TVA’s distributed solar program that were used in the distributed generation forecast model, as mentioned on page C-6.

8) Copies of the final Intermittent Resources Study, Flexibility Study, and Reserve Margin Study described in the IRP on pages D-6, D-10, and D-2, respectively. Note that in its response to SACE’s FOIA requests #5347 and #5348 TVA indicated that “Information from the studies will be available for public review and comment in early 2019 in connection with the issuance of the draft IRP.” The information in the draft IRP from these studies is insufficient for complete public review. Note again that NEPA states that “No material may be incorporated by reference unless it is reasonably available for inspection by potentially interested persons within the time allowed

¹ When used here, the term “documents” includes written, printed, or electronic reports, memoranda, tables, spreadsheets, and/or presentations.

for comment. Material based on proprietary data which is itself not available for review and comment shall not be incorporated by reference.” 40 C.F.R. § 1502.21.

9) A document or documents describing the changes TVA staff made to capital cost assumptions for resource options after review of initial capital cost assumptions by Navigant Consulting, Inc. We are particularly interested in how many resource capital cost assumptions were changed, for which resource options were changes made, and in what direction were the changes.

10) The Microsoft Excel workbook from Navigant summarizing the Resource Estimates and related assumptions and notes from their work delivered to TVA on July 13, 2018, as described in the Summary Letter on page A-1.

11) All document or documents informing TVA’s assumption that regulations in the Decarbonization scenario would make the US less competitive globally.

12) All document or documents informing TVA’s assumption that solar and storage prices would be higher in the Economic Downturn scenario than in the Base Case scenario.

13) All document or documents informing TVA’s assumed CO2 prices used in the Valley Load Growth and Decarbonization scenarios.

14) All document or documents informing TVA’s decision to decrease the assumed capital costs associated with small modular reactors compared to the assumed capital costs for this resource option used in TVA’s 2015 IRP.

We ask that you disclose this information as it becomes available to you without waiting until all of the records have been assembled. Comments on the IRP and EIS are due April 8, and we require time to review these documents prior to submitting our comments. We request that the documents and data be provided electronically, and data be provided in spreadsheets with working formulae, where applicable, so as to facilitate integration into our comments within the allotted public comment period.

If you have any questions regarding this request, please feel free to contact me at 615-364-5527 or maggie@cleanenergy.org. I appreciate your prompt attention to this matter.

Sincerely,

Maggie Shober
Southern Alliance for Clean Energy
3804 Middlebrook Pike
Knoxville, TN 37921
(615) 364-5527
maggie@cleanenergy.org