Request for Comments on Principal Place of Business
REGIONAL ORGANIZATION FOR WESTERN ENERGY, INC.
October 27, 2026

Submitted by	Organization	Date Submitted
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Please use this template to provide your comments on the ROWE principal place of business assessment posted on October 27, 2026. Submit comments to comments@rowesternenergy.org by **November 17, 2026,** by 6:00pm MT/5:00pm PT.

1. What decision criteria should be used to determine the ROWE principal place of business?

NCPA recommends that the ROWE Board begin with the framework and findings in the West-Wide Governance Pathways Initiative (WWGPI) Step 2 Final Proposal (the "Final Proposal"). The location decision should support ROWE's actual initial operating model while preserving the ability to reconsider the location as ROWE and EDAM mature.[1]

The recommendation presented in the Final Proposal warrants substantial consideration because it was the product of a regional, multistakeholder process. The WWGPI Launch Committee included state utility and energy regulators and public officials from Arizona, California, New Mexico, Oregon, and Washington, alongside representatives of utilities, public power, market participants, customers, labor, and public-interest organizations. That composition does not displace the ROWE Board's independent judgment, but it supports treating the Final Proposal, including its direction to give strong consideration to locating ROWE's initial principal place of business in Folsom, CA, as a regionally developed compromise rather than a position advanced solely by California interests.[2]

- Consistency with the Step 2 Design. The Final Proposal established an incremental transition that uses existing market infrastructure, minimizes unnecessary duplication, and permits ROWE's responsibilities to evolve over time. The headquarters decision should support that

[1] *West-Wide Governance Pathways Initiative, Step 2 Final Proposal* at 1 (Nov. 15, 2024) ("Using an incremental approach and enabling the new Regional Organization to work with stakeholders to determine the scale and speed of future steps, the Proposal keeps costs down and ensures that the market benefits remain intact and grow.").

[2] *West-Wide Governance Pathways Initiative, Step 2 Final Proposal* at 10 (Nov. 15, 2024) (explaining that the initiative began with "a group of state regulators from Arizona, California, New Mexico, Oregon, and Washington" and that the resulting 26-member Launch Committee comprised "a diverse set of utilities, consumer advocates, public power, generators and power marketers, public interest organizations, labor, and others").

design rather than assume a future organizational structure or market footprint that is not yet known.

- Operational Effectiveness during Formation and Initial Operations. Under Option 2.0, ROWE will independently govern WEIM and EDAM market rules, while CAISO will continue day-to-day market operations and provide important operational and administrative support. The location should facilitate the frequent coordination required by that division of responsibilities.

- Institutional Independence and Regional Neutrality. ROWE must be independent in both fact and appearance. The Board should distinguish substantive independence, created through separate governance, authority, personnel, finances, records, and decision-making, from geographic separation, which may affect perception but does not itself establish independence.

- Ability to Recruit and Retain Qualified Personnel. ROWE will need leadership and staff with experience in Western electricity markets, governance, law, finance, accounting, engineering, information technology, utilities, and stakeholder processes. The availability of that workforce should be evaluated for ROWE's initial staffing needs.

- Cost, Duplication, and Implementation Risk. The Board should consider occupancy and payroll costs together with travel, recruitment, relocation, duplicated support functions, transition delays, and the cost of maintaining effective interaction with the market operator.

- Regional Accessibility and Stakeholder Participation. Headquarters should not be treated as the sole measure of regional inclusion. The Board should consider transportation access, effective remote participation, and regular rotation of Board and stakeholder meetings throughout the market footprint.

- The Breadth and Maturity of EDAM Participation. The appropriate long-term location may depend on which balancing authority areas ultimately participate, the geographic distribution of the market, and whether ROWE later assumes broader functions. Current uncertainty supports an initial decision accompanied by a defined reevaluation.

- Legal and Administrative Considerations. Relevant factors include nonprofit and corporate law, employment obligations, taxation, insurance, public-records requirements, litigation forum, charitable registration, and qualification to do business.

2. What metrics should be used to assess a location's value against each criterion?

The Board should use verifiable, consistently applied metrics and should clearly identify assumptions where reliable location-specific information is not yet available. NCPA recommends applying the following metrics, consistent with those included in the Step 2 Final Proposal:

- Operational Effectiveness: functions initially performed by ROWE and CAISO; frequency of joint work; number and type of coordinated processes; travel time and expense for routine coordination; and implementation risks created by physical separation.

- Cost and Implementation: five- and ten-year occupancy and operating costs; travel; recruitment and relocation; professional services; duplicated functions; transition costs; and the time required to establish a functioning headquarters.

- Regional Access: commercial air connectivity, total travel time and cost from the participating footprint, meeting facilities, remote-participation capability, and the geographic distribution of public meetings.

- Market Evolution: committed EDAM balancing authority areas, load served, geographic distribution, ROWE staffing, services governed, and any material changes in the division of responsibilities between ROWE and CAISO.

- Workforce: size and depth of the relevant labor pool; availability of candidates with Western market and nonprofit-governance experience; compensation; recruitment time; relocation requirements; and retention risk.

- Independence and Neutrality: allocation of legal authority; Board composition; separate officers, personnel, budget, records, systems, counsel, branding, and office space; conflict-of-interest protections; and transparent decision-making. Stakeholder perception should be measured separately from structural independence.

- Legal and Administrative Effects: state and local tax treatment, nonprofit and charitable registration, employment requirements, insurance, qualification to do business, litigation exposure, and recurring compliance costs.

The Board should evaluate all candidate locations using the same assumptions and time horizon. Where reliable data are unavailable, the Board should identify the information gap rather than assign unsupported precision.

3. How should the criteria be weighted?

NCPA recommends that the weighting reflect ROWE's initial Option 2.0 structure and be revisited when the headquarters decision is formally reevaluated:

- 30% – Operational effectiveness and coordination under the initial ROWE–CAISO operating model
- 20% – Cost, avoidance of duplication, and implementation risk
- 20% – Regional accessibility and stakeholder participation
- 15% – Ability to recruit and retain qualified personnel
- 10% – Institutional independence and regional neutrality
- 5% – Legal and administrative considerations

The expected breadth of EDAM participation should inform regional-access considerations and the timing of reevaluation, but it should not receive a speculative location score before participation decisions are sufficiently known. The Board should publish its assumptions and underlying scores and test whether reasonable changes in weighting alter the result.

4. **Among the locations listed above, does your analysis suggest a preferred location or an unacceptable choice and, if so, what factors support this assessment?**

NCPA recommends selecting Folsom, California, as ROWE's initial principal place of business, with the intent of reevaluating a permanent location once ROWE has sufficient operating experience. This recommendation follows the structure and reasoning of the WWGPI Step 2 Final Proposal.

The Step 2 Final Proposal provides that the ROWE Board will determine the principal place of business while directing that strong consideration be given to Folsom, California because of ROWE's expected close interactions with CAISO as the market operator. The Final Proposal further anticipates Folsom during Option 2.0 and any later structure that does not require full separation. That approach is consistent with Step 2's incremental design: use existing infrastructure, preserve market benefits, avoid unnecessary duplication, and allow ROWE to develop based on operating experience.[3]

At formation, ROWE and CAISO will be separate organizations with distinct governance responsibilities, but their work will remain closely coordinated. ROWE will exercise independent authority over market rules, while CAISO will continue operating the markets day to day. The organizations will need to coordinate on tariff administration, joint or shared matters, stakeholder processes, market monitoring, implementation of policy decisions, and the transition itself. Beginning in or near Folsom places ROWE's initial staff close to the people, systems, and institutional knowledge needed to make that structure work effectively.

NCPA recognizes that a California headquarters may create a perception of single-state influence. The Step 2 framework, however, establishes independence through enforceable governance measures rather than location alone. Those measures include a stand-alone nonprofit corporation, an independent and geographically diverse Board, sole decisional authority over market rules within ROWE's domain, separate control of expenditures, transparent meetings and written rationales, broad stakeholder representation, public-interest protections, and market-monitoring oversight. Separate office space, personnel, records, systems, management, and corporate identity should reinforce those safeguards even if ROWE begins operations in Folsom.[4]

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[3] *West-Wide Governance Pathways Initiative, Step 2 Final Proposal* at 54–55 (Nov. 15, 2024) ("The Launch Committee recommends that the RO Board determine its principal place of business, giving Folsom, California, strong consideration because of its interactions with the CAISO"; explaining that close integration with CAISO operations and related cost efficiencies "strongly suggests" locating most or all RO staff in or near Folsom).

[4] *West-Wide Governance Pathways Initiative, Step 2 Final Proposal* at 61–62 (Nov. 15, 2024) ("The RO will be a stand-alone corporate entity fully separate from CAISO and its governing structures and the governing structures of any individual state" and will conduct meetings and make decisions "in an open process with transparent, documented rationales").

Regional inclusion should also be addressed directly. Consistent with the Final Proposal, ROWE should rotate Board and stakeholder meetings among market-participating states, provide effective remote access to all public meetings, and recruit throughout the West where remote or distributed work is compatible with the position. These measures make ROWE visibly regional without sacrificing the benefits of beginning near the market operator.[5]

The ultimate breadth of EDAM participation remains uncertain. The number and geographic distribution of participating balancing authority areas will affect travel patterns, workforce needs, funding, and the practical center of ROWE's activities. ROWE's responsibilities may also change following the feasibility analysis contemplated by the Final Proposal. Selecting a permanent headquarters now based on an assumed future footprint or corporate model could optimize for conditions that do not materialize.[6]

NCPA therefore recommends that ROWE establish its initial headquarters in or near Folsom, California, and formally reevaluate the location after ROWE has sufficient operating experience. A reasonable trigger would be the earlier of: (1) two years after ROWE begins exercising authority over WEIM and EDAM; or (2) a Board decision to materially expand ROWE's corporate responsibilities or regional services. The review should consider actual EDAM participation, staffing, costs, travel, coordination experience, stakeholder access, and the continuing division of responsibilities between ROWE and CAISO.

NCPA does not recommend declaring any other candidate categorically unacceptable. An alternative location should be selected initially only if the record demonstrates that its concrete advantages outweigh the operational, workforce, transition, and cost considerations that led the WWGPI Launch Committee to recommend strong consideration of Folsom. On the present operating model, Folsom is the ideal place to commence operations, coupled with strong independence safeguards and the ability to host regular ROWE meetings throughout the West.

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[5] *West-Wide Governance Pathways Initiative, Step 2 Final Proposal* at 55 (Nov. 15, 2024) (recommending "rotating monthly (or quarterly) public board meetings around the West" and facilitating SRC and stakeholder processes in other states where feasible).

[6] *West-Wide Governance Pathways Initiative, Step 2 Final Proposal* at 17 (Nov. 15, 2024) (stating that the feasibility analysis should be initiated within nine months of RO formation and should allow the RO to consider how its responsibility, accountability, and ability to host or oversee additional regional services should evolve).