



Province of Alberta

# **ELECTRIC UTILITIES ACT**

Statutes of Alberta, 2003  
Chapter E-5.1

Current as of August 1, 2018

Office Consolidation

© Published by Alberta Queen's Printer

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## Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

## Amendments Not in Force

This consolidation incorporates only those amendments in force on the consolidation date shown on the cover. It does not include the following amendments:

2003 cE-5.1 s168 repeals ss156 to 163.

2018 c10 s2 amends s34(1), adds s34.1, amends s142.

## Regulations

The following is a list of the regulations made under the *Electric Utilities Act* that are filed as Alberta Regulations under the Regulations Act

	Alta. Reg.	Amendments
<b>Electric Utilities Act</b>		
Balancing Pool .....	158/2003	191/2016, 196/2016, 160/2017
Billing Regulation, 2003 .....	159/2003	288/2009, 224/2012, 60/2015
City of Medicine Hat Payment in Lieu of Tax .....	235/2003	105/2005, 68/2008, 175/2008, 288/2009, 31/2012, 62/2013, 185/2013, 114/2018
Code of Conduct .....	58/2015	135/2018
Common Facilities Costs .....	161/2003	51/2013

Distribution Tariff.....	162/2003	6/2004, 254/2007, 224/2012, 11/2018
Fair, Efficient and Open Competition .....	159/2009	
Flare Gas Generation.....	163/2003	254/2007, 52/2013, 89/2013, 11/2018
Independent Power and Small Power.....	111/2003	48/2013
Isolated Generating Units and Customer Choice.....	165/2003	274/2006, 254/2007, 53/2013, 11/2018
Liability Protection.....	66/2004	221/2004, 254/2007, 60/2014, 7/2018, 114/2018
Micro-generation.....	27/2008	233/2009, 288/2009, 234/2013, 203/2015, 218/2016, 140/2017, 135/2018
Municipal Own-use Generation .....	80/2009	11/2018, 135/2018
Payment in Lieu of Tax.....	112/2003	105/2005, 172/2006, 256/2007, 68/2008, 288/2009, 31/2012, 62/2013, 170/2017, 114/2018
Power Purchase Arrangements.....	167/2003	216/2005, 254/2007
Power Purchase Arrangements Determinations .....	175/2000	215/2001
Regulated Rate Option .....	262/2005	264/2007, 143/2010, 224/2012, 11/2013, 59/2015, 138/2017, 135/2018
Roles, Relationships and Responsibilities, 2003 .....	169/2003	315/2003, 25/2004, 108/2004, 108/2005, 265/2007, 224/2012, 11/2018
Transmission .....	86/2007	121/2007, 255/2007, 160/2009, 288/2009, 153/2010, 156/2012, 145/2013, 175/2014, 7/2018, 114/2018
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# **ELECTRIC UTILITIES ACT**

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HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Alberta, enacts as follows:

**Part 1**  
**Interpretation, Application**  
**and Purpose**

**Interpretation**

**1(1)** In this Act,

- (a) “affiliated electricity retailer” has the meaning given to it in regulations made by the Minister under section 108;
- (a.1) “affiliated gas retailer” has the meaning given to it in regulations made by the Minister under section 108;
- (a.2) “affiliated retailer” means an affiliated electricity retailer or an affiliated gas retailer;
- (b) “ancillary services” means those services required to ensure that the interconnected electric system is operated in a manner that provides a satisfactory level of service with acceptable levels of voltage and frequency;
- (c) “Balancing Pool” means the corporation established by section 75;
- (d) “bill” or “billing” means an account for charges arising from the generation, transmission, distribution or sale of electricity;

- (3) The Independent System Operator must be managed so that, on an annual basis, no profit or loss results from its operation.

2003 cE-5.1 s14;2016 cR-16.5 s20

#### **Records and reporting**

- 15(1)** The Independent System Operator must

- (a) maintain accounting records and a record of its business and affairs,
- (b) within 120 days after the end of its fiscal year, provide to the Minister an annual report
  - (i) reporting on its business and affairs in the fiscal year, and
  - (ii) containing its audited financial statements for the fiscal year,
- and
- (c) at any time when required to do so by the Minister, prepare and have audited financial statements relating to any part of its business and affairs for any period of time specified by the Minister.

- (2) After providing the annual report to the Minister, the Independent System Operator must make it available to the public.

- (3) The Independent System Operator must provide to the Minister any other reports and information relating to its duties, responsibilities and functions that the Minister requests.

2003 cE-5.1 s15;2018 c10 s2(6)

### **Division 2 Independent System Operator Duties and Authority**

#### **Duty to act responsibly**

- 16(1)** The Independent System Operator must exercise its powers and carry out its duties, responsibilities and functions in a timely manner that is fair and responsible to provide for the safe, reliable and economic operation of the interconnected electric system and to promote a fair, efficient and openly competitive market for electricity.

- (1.1) The Independent System Operator must exercise its powers and carry out its duties, responsibilities and functions with respect to the capacity market in a timely manner that is fair and

responsible to ensure that a reliable supply of electricity is available at reasonable cost to customers and to promote a fair, efficient and openly competitive capacity market.

(2) Subsection (1) does not apply to the development of renewable electricity program proposals under the *Renewable Electricity Act*.

2003 cE-5.1 s16;2016 cR-16.5 s20;2018 c10 s2(7)

#### **ALSA regional plans**

**16.1** In carrying out its mandate under this Act and other enactments, the Independent System Operator must act in accordance with any applicable ALSA regional plan.

2009 cA-26.8 s74

#### **Duties of Independent System Operator**

**17** The Independent System Operator has the following duties:

- (a) to operate the power pool in a manner that promotes the fair, efficient and openly competitive exchange of electric energy;
- (b) to facilitate the operation of markets for electric energy in a manner that is fair and open and that gives all market participants wishing to participate in those markets and to exchange electric energy a reasonable opportunity to do so;
- (c) to determine, according to relative economic merit, the order of dispatch of electric energy and ancillary services in Alberta and from scheduled exchanges of electric energy and ancillary services between the interconnected electric system in Alberta and electric systems outside Alberta, to satisfy the requirements for electricity in Alberta;
- (d) to carry out financial settlement for all electric energy exchanged through the power pool at the pool price unless this Act or the regulations made by the Minister under section 41 provide otherwise;
- (e) to manage and recover the costs of transmission line losses;
- (f) to manage and recover the costs for the provision of ancillary services;
- (g) to provide system access service on the transmission system and to prepare an ISO tariff;
- (h) to direct the safe, reliable and economic operation of the interconnected electric system;

- (i) to assess the current and future needs of market participants and plan the capability of the transmission system to meet those needs;
- (j) to make arrangements for the expansion of and enhancement to the transmission system;
- (k) to collect, store and disseminate information relating to the current and future electricity needs of Alberta and the capacity of the interconnected electric system to meet those needs, and make that information available to the public;
- (l) to administer load settlement;
- (l.01) in respect of the capacity market,
  - (i) to establish and operate the capacity market in a manner that is fair and open,
  - (ii) to assess the current and future energy needs of Alberta's electricity customers in order to procure capacity to meet the requirements of the resource adequacy standard,
  - (iii) to conduct capacity auctions to procure capacity to meet the requirements of the resource adequacy standard,
  - (iv) to carry out financial settlement in respect of the capacity market, and
  - (v) to manage and recover the costs of the capacity market;
- (l.1) to monitor the compliance of market participants with ISO rules and rules made under section 24.1;
- (l.2) to develop proposals for renewable electricity programs under the *Renewable Electricity Act*;
- (l.3) to implement renewable electricity programs and to administer renewable electricity support agreements under the *Renewable Electricity Act*;
- (m) to perform any other function or engage in any activity the Independent System Operator considers necessary or advisable to exercise its powers and carry out its duties, responsibilities and functions under this Act or any other enactment.

2003 cE-5.1 s17; 2007 cA-37.2 s82(4); 2016 cR-16.5 s20;  
2018 c10 s2(8)

**Power pool**

**18(1)** The Independent System Operator must operate the power pool in a manner that is fair, efficient and open to all market participants exchanging or wishing to exchange electric energy through the power pool and that gives all market participants a reasonable opportunity to do so.

(2) All electric energy entering or leaving the interconnected electric system must be exchanged through the power pool unless regulations made under section 41, section 99 or section 142 provide otherwise.

(3) A person shall not intentionally cause or permit electric energy or ancillary services to enter or leave the interconnected electric system except in accordance with ISO rules.

(4) The Independent System Operator must, in accordance with the ISO rules,

- (a) establish the pool price for each settlement interval for electric energy exchanged through the power pool, which must not include any portion of the ISO fees, and
- (b) make the pool price available to the public.

2003 cE-5.1 s18;2018 c10 s2(9)

**Direct sales agreements and forward contracts**

**19(1)** In this section,

- (a) “direct sales agreement” means an agreement relating to the sale or purchase of electric energy in accordance with the terms agreed to by the parties to the agreement, but does not include a forward contract;
- (b) “forward contract” means an agreement relating to the sale or purchase of electric energy
  - (i) that is tradeable on a forward exchange, and
  - (ii) that provides for the future delivery of electric energy;
- (c) “forward exchange” means an organization that is in the business of operating an electricity market for buying and selling forward contracts.

(2) Exchange of electric energy under a direct sales agreement or a forward contract must be undertaken in accordance with ISO rules, including rules

- (a) setting out the requirements, including the information to be provided to the Independent System Operator, concerning a direct sales agreement or forward contract,
- (b) authorizing persons other than the Independent System Operator to make financial settlement for electric energy sold or purchased under a direct sales agreement or forward contract,
- (c) authorizing that financial settlement may be at a price other than the pool price for electric energy sold or purchased under a direct sales agreement or forward contract, and
- (d) relating to the curtailment and certainty of supply of electric energy sold or purchased under a direct sales agreement or forward contract.

(3) A rule under subsection (2) shall not require a person buying or selling electric energy under a direct sales agreement or forward contract to disclose to the Independent System Operator information relating to the price of electric energy sold or purchased under the agreement or contract.

2003 cE-5.1 s19;2018 c10 s2(10)

#### **ISO rules**

**20(1)** The Independent System Operator may make rules respecting

- (a) the practices and procedures of the Independent System Operator;
- (b) the operation of the power pool and the exchange of electric energy through the power pool;
- (c) the operation of the interconnected electric system;
- (d) the provision of ancillary services;
- (e) planning the transmission system, including criteria and standards for the reliability and adequacy of the transmission system;
- (f) the processes for expansion and enhancement of the transmission system;

- (g) the procedures to be observed in emergencies relating to the operation of the interconnected electric system;
- (h) repealed 2007 cA-37.2 s82(4);
- (i) direct sales agreements and forward contracts as defined in section 19(1);
- (j) the granting of exemptions from the rules, and setting out the process for obtaining an exemption;
- (k) procedures for resolving disputes between the Independent System Operator and market participants, which may include arbitration under the *Arbitration Act*;
- (k.1) any matter as the ISO considers necessary or advisable to carry out its duties, responsibilities and functions under the *Renewable Electricity Act*;
- (l) any other matter the Independent System Operator considers necessary or advisable to carry out its duties, responsibilities and functions under this Act and the regulations.

(1.1) Subject to section 20.6(4), an ISO rule made under this section does not take effect unless it is approved by the Commission.

(2), (3) Repealed 2007 cA-37.2 s82(4).

2003 cE-5.1 s20; 2007 cA-37.2 s82(4); 2016 cR-16.5 s20;  
2018 c10 s2(11)

**20.1** Repealed 2018 c10 s2(12).

#### **Filing of ISO rules**

**20.2(1)** On making an ISO rule, the Independent System Operator must file the ISO rule with the Commission for the Commission's approval.

(2) The Commission must publish notice of the filing of an ISO rule under subsection (1) not later than 5 business days after the day of filing.

(3) Subject to subsection (4), a notice under subsection (2) must include a copy of the ISO rule or set out where a copy may be obtained.

(4) If the Commission is satisfied on information provided by the Independent System Operator that it would not be in the public

interest for an ISO rule to be available to the public, the notice under subsection (2) must contain a summary of the ISO rule and explain why a copy of the ISO rule is not included.

2007 cA-37.2 s82(4); 2018 c10 s2(13)

#### **Approval of ISO rules**

**20.21(1)** After considering an ISO rule, the Commission may, by order,

- (a) approve the ISO rule,
- (b) direct the Independent System Operator to revise the ISO rule or a provision of the ISO rule and approve the ISO rule subject to the Commission being satisfied that the ISO rule has been revised by the Independent System Operator, in accordance with the directions set out in the order, by the date set out in the order, or
- (c) refuse to approve the ISO rule.

**(2)** The Commission may approve an ISO rule filed under section 20.2 or 20.6 only if the Commission is satisfied

- (a) that the ISO rule
  - (i) is not technically deficient,
  - (ii) supports the fair, efficient and openly competitive operation of the market to which it relates, and
  - (iii) is in the public interest,
- (b) if the ISO rule relates to the capacity market, that the ISO rule
  - (i) supports ensuring a reliable supply of electricity is available at reasonable cost to customers, and
  - (ii) does not conflict with and is not inconsistent with the regulations made under Part 2.2,and
- (c) that the Independent System Operator, in developing the rule, complied with the Commission rules made under section 20.9.

**(3)** The Commission may, in the order approving an ISO rule made under section 41.42, provide that the ISO rule applies to capacity market participants that participated in a capacity auction

specified in the order with respect to any or all matters relating to or arising from the capacity market participants' participation in that capacity auction if the Commission is satisfied that doing so would support the fair, efficient and openly competitive operation of the capacity market and is in the public interest.

(4) The Independent System Operator has the onus of satisfying the Commission with respect to the matters referred to in subsection (2).

(5) The Independent System Operator must file with the Commission, for the Commission's review, an ISO rule that is revised in accordance with an order under subsection (1)(b).

(6) The Commission must publish notice of the filing of an ISO rule under subsection (5) as soon as possible and not later than 5 business days after the date of filing.

(7) Except where section 20.6(4) applies, an ISO rule that is approved under subsection (1)(a) takes effect on the later of

- (a) the date specified in the ISO rule,
- (b) the date of the order approving the ISO rule, and
- (c) the date specified in the order approving the ISO rule.

(8) If the Commission confirms, in a manner determined by the Commission, that it is satisfied that an ISO rule has been revised in accordance with the directions set out in an order under subsection (1)(b), the revised ISO rule takes effect on the later of

- (a) the date on which the revised ISO rule is filed,
- (b) the date specified in the revised ISO rule, and
- (c) the date specified by the Commission by order.

(9) An ISO rule that took effect under section 20.22 ceases to have effect under section 20.22 as follows:

- (a) if the ISO rule is approved under subsection (1)(a), the ISO rule ceases to have effect under section 20.22 on the date the ISO rule takes effect under subsection (7);
- (b) if the ISO rule is approved subject to revision under subsection (1)(b), the ISO rule ceases to have effect under section 20.22 on the earlier of

- (i) the date the revised ISO rule takes effect under subsection (8), and
  - (ii) the date specified in the order approving the ISO rule subject to revision in the event that the Commission is not satisfied that the ISO rule has been revised in accordance with the directions set out in the order by that date;
- (c) if approval of the ISO rule is refused under subsection (1)(c), the ISO rule ceases to have effect on the later of
- (i) the date of the order refusing to approve the ISO rule, and
  - (ii) the date specified in the order refusing to approve the ISO rule.
- (10) If, under subsection (1)(b), the Commission directs the Independent System Operator to revise an ISO rule or a provision of an ISO rule that took effect under section 20.6, the ISO rule ceases to have effect under section 20.6 on the earlier of
- (a) the date the revised ISO rule takes effect under subsection (8), and
  - (b) the date specified in the order directing the Independent System Operator to revise the ISO rule.
- (11) If the Commission refuses to approve an ISO rule that took effect under section 20.6, the ISO rule ceases to have effect under section 20.6 on the later of
- (a) the date of the order refusing to approve the ISO rule, and
  - (b) the date specified in the order refusing to approve the ISO rule.

2018 c10 s2(14)

**Provisional approval of first ISO rules relating to the capacity market**

**20.22(1)** Section 20.2(4) does not apply with respect to the first set of ISO rules made by the Independent System Operator as required by section 41.42(3) and filed under section 20.2.

**(2)** Notwithstanding anything in section 20.21, on the Independent System Operator filing the first set of ISO rules made by the Independent System Operator as required by section 41.42(3), the Commission shall make an order setting out which of those rules, if any, it will consider for provisional approval under this section.

(3) A decision under subsection (2) may not be appealed under section 29 of the *Alberta Utilities Commission Act*.

(4) If the Commission decides to consider an ISO rule under this section, the Commission must, within 6 months after the date on which the ISO rule is filed, by order,

- (a) provisionally approve the ISO rule,
- (b) direct the Independent System Operator to revise the ISO rule or a provision of the ISO rule and provisionally approve the ISO rule subject to the Commission being satisfied that the ISO rule has been revised by the Independent System Operator, in accordance with the directions set out in the order, by the date set out in the order, or
- (c) direct that the ISO rule will be considered under section 20.21 if, in the Commission's opinion, the ISO rule is not essential for the establishment or operation of the capacity market.

(5) The Commission may provisionally approve an ISO rule referred to in subsection (2) only if it appears to the Commission that

- (a) the ISO rule
  - (i) is not technically deficient,
  - (ii) supports the fair, efficient and openly competitive operation of the capacity market,
  - (iii) is in the public interest,
  - (iv) supports ensuring a reliable supply of electricity is available at reasonable cost to customers, and
  - (v) does not conflict with and is not inconsistent with the regulations made under section 41.46,

and

- (b) that the Independent System Operator, in developing the rule, complied with the Commission rules made under section 20.9.

(6) An ISO rule that is provisionally approved under subsection (4)(a) takes effect on the later of

- (a) the date specified in the ISO rule,

- (b) the date of the order provisionally approving the ISO rule, and
  - (c) the date specified in the order provisionally approving the ISO rule.
- (7) If the Commission confirms, in a manner determined by the Commission, that it is satisfied that an ISO rule has been revised in accordance with the directions set out in an order under subsection (4)(b), the revised ISO rule takes effect on the later of
- (a) the date on which the revised ISO rule is filed,
  - (b) the date specified in the revised ISO rule, and
  - (c) the date specified by the Commission by order.
- (8) Subject to section 20.23(3), no appeal may be made under section 29 of the *Alberta Utilities Commission Act* in respect of a decision under subsection (4).
- (9) Subject to section 20.23(3), no complaint may be made under section 25 in respect of an ISO rule that is in effect under this section.

2018 c10 s2(14)

**Regular consideration of first ISO rules respecting the capacity market**

- 20.23(1)** Within 24 months after the day on which an ISO rule referred to in section 20.22(2) is filed, the Commission shall consider the ISO rule under section 20.21 and make an order respecting the rule under section 20.21.
- (2) Subsection (1) does not apply to an ISO rule that, under section 20.22(4)(c), the Commission directed to be considered under section 20.21.
- (3) Section 20.22(8) and (9) cease to apply with respect to an ISO rule that is provisionally approved under section 20.22 on the earlier of
- (a) an order being made with respect to the ISO rule under section 20.21(1), and
  - (b) 24 months after the day on which the ISO rule was filed.

2018 c10 s2(14)

**20.3 to 20.5** Repealed 2018 c10 s2(15).

**Expedited ISO rule**

**20.6(1)** If, in the opinion of the Independent System Operator, a matter that is addressed in an ISO rule is urgent or there are other sufficient reasons that require that an ISO rule takes effect expeditiously, the Independent System Operator may

- (a) file the ISO rule with the Commission for the Commission's consideration under subsection (2), and
- (b) request the Commission's approval for the ISO rule to take effect under subsection (4).

**(2)** The Commission shall consider and make an order with respect to an ISO rule filed under subsection (1)

- (a) within 2 business days after the date the ISO rule is filed if, in the material filed with respect to the ISO rule, the Independent System Operator indicates that a matter that is addressed in the ISO rule is urgent and affects the reliable supply of electricity or the safe and reliable operation of the interconnected electric system, or
- (b) within 5 business days after the date on which the ISO rule is filed in any other case.

**(3)** On considering an ISO rule under subsection (2), the Commission shall, by order,

- (a) approve the ISO rule taking effect in accordance with subsection (4), if, on information provided by the Independent System Operator, the Commission is satisfied that a matter that is addressed in the ISO rule is urgent or there are other sufficient reasons that require that the ISO rule takes effect expeditiously, or
- (b) refuse to approve the ISO rule taking effect in accordance with subsection (4) in any other case.

**(4)** If the Commission makes an order under subsection (3)(a) with respect to an ISO rule, the ISO rule takes effect on the later of

- (a) the date of the order made under subsection (3)(a), and
- (b) the date specified in the ISO rule.

**(5)** On making an order under subsection (3), the Commission shall publish notice of the ISO rule.

(6) The Commission shall, not later than 5 business days after the day an ISO rule is filed under this section, begin to consider the ISO rule in accordance with section 20.21.

(7) This section does not apply to a first ISO rule relating to the capacity market made as required under section 41.42(3).

2007 cA-37.2 s82(4);2018 c10 s2(16)

#### **Availability of ISO rules**

**20.7(1)** Subject to subsection (2), the Independent System Operator must make available to the public an ISO rule that is in effect.

(2) If the Commission is satisfied on information provided by the Independent System Operator that it would not be in the public interest for an ISO rule to be available to the public, the Independent System Operator must make available to the public a summary of the ISO rule that contains an explanation as to why the ISO rule is not being made available.

2007 cA-37.2 s82(4)

#### **Duty to comply with ISO rules and reliability standards**

**20.8** A market participant must comply with

- (a) the ISO rules that are in effect, and
- (b) the reliability standards.

2007 cA-37.2 s82(4);2009 c44 s2

#### **Process for proposing changes to ISO rules**

**20.81** Subject to any regulations under section 41(1)(a), the Independent System Operator shall establish a process for market participants and interested parties to propose rules and changes to ISO rules for the Independent System Operator's consideration.

2018 c10 s2(17)

#### **Commission rules**

**20.9** Subject to any regulations under section 41(1)(a.1), the Commission

- (a) shall make rules requiring the Independent System Operator to consult with market participants, the Market Surveillance Administrator and other interested parties in developing ISO rules, and
- (b) may make rules governing the making of ISO rules, including, without limitation, rules

- (i) respecting the procedures and processes that the Independent System Operator must follow in developing ISO rules;
- (ii) respecting the filing of ISO rules, including the form and content of filings;
- (iii) respecting the requirements that the Independent System Operator must meet to satisfy the Commission with respect to the matters referred to in sections 20.21, 20.22 and 20.6.

2007 cA-37.2 s82(4);2018 c10 s2(18)

#### **ISO fees**

**21(1)** The Independent System Operator must establish and charge fees payable by market participants

- (a) for the exchange of electric energy through the power pool,
  - (b) to pay for the aggregate expenditures, costs and expenses shown in the approved budget of the Market Surveillance Administrator and any approved amendment to the budget, and
  - (c) to pay for the costs and expenses of other powers, duties, responsibilities and functions of the Independent System Operator, except costs and expenses recovered under the ISO tariff.
- (2)** The fees must be just and reasonable and may be varied from time to time.
- (3)** A market participant who is charged a fee by the Independent System Operator must pay the fee.
- (4)** A market participant charged a fee by the Independent System Operator may make a complaint to the Commission under section 25.
- (5)** A fee charged by the Independent System Operator is a debt owing by the market participant to the Independent System Operator and in default of payment may be recovered by the Independent System Operator by an action in debt.
- (6)** The Independent System Operator must maintain a current schedule of its fees and make the schedule available to the public.

2003 cE-5.1 s21;2007 cA-37.2 s82(4)

**Contravention of ISO rule**

**21.1** Except as otherwise provided by the regulations, if the Independent System Operator suspects that a market participant has contravened an ISO rule or a reliability standard, the Independent System Operator must refer the matter to the Market Surveillance Administrator.

2007 cA-37.2 s82(4); 2009 c44 s2

**Failure to pay ISO fee**

**22(1)** If a market participant fails to pay an ISO fee, the Independent System Operator may refer the matter to the Commission.

**(2)** If the Commission is satisfied that a market participant has failed to pay an ISO fee, the Commission may order the market participant to pay the ISO fee and may impose an administrative penalty on the market participant under section 63 of the *Alberta Utilities Commission Act*.

2003 cE-5.1 s22; 2007 cA-37.2 s82(4)

**23 and 24** Repealed 2007 cA-37.2 s82(4).

**Load settlement rules**

**24.1(1)** The Commission may make rules respecting load settlement, including rules respecting

- (a) the conduct of load settlement by market participants,
- (b) the establishment of processes, procedures, standards, reports and controls required to determine the allocation for each settlement interval of electric energy to sites and to customers,
- (c) the determination, collection and storage of site, metering and other data in order to provide necessary measurement data,
- (d) the development and use of customer load profiles to determine the allocation for each settlement interval of electric energy to sites that do not have interval meters,
- (e) the transfer of data among market participants,
- (f) the payment to the Commission of professional and other costs relating to the development and implementation of the rules and by whom the costs are to be paid,
- (g) incentives for efficient performance of load settlement,

- (g.1) the settlement of the capacity market, and
  - (h) any other matter the Commission considers necessary and advisable relating to load settlement.
- (2) The Independent System Operator must administer load settlement in accordance with the rules made under subsection (1).
- (3) A market participant must comply with rules made by the Commission under subsection (1).
- (4) On referral by the Independent System Operator, on application or on its own initiative, the Commission may determine whether a market participant is complying with the rules respecting load settlement.
- (5) If the Commission is of the opinion that a market participant has failed or is failing to comply with the rules respecting load settlement, the Commission may by order do all or any of the following:
- (a) direct the market participant to comply with the rules or to take any action to improve load settlement that the Commission considers just and reasonable;
  - (b) direct the market participant to pay or provide a credit in an amount specified by the Commission to a person determined by the Commission who has suffered loss or damage resulting from the failure of the market participant to comply with the rules to compensate that person;
  - (c) prohibit the market participant from engaging in any activity or conduct that the Commission considers to be detrimental to load settlement;
  - (d) impose an administrative penalty under section 63 of the *Alberta Utilities Commission Act*.

2007 cA-37.2 s82(4);2018 c10 s2(19)

### **Division 3**

#### **Recourse to the Commission**

##### **Complaints to the Commission**

**25(1)** A market participant may make a written complaint to the Commission

- (a) about an ISO fee,