

POLICY: **Policy on the handling of a complaint alleging non-compliance with a Québec electric power transmission reliability standard**

Policy number: 36

Responsibility for application: Secrétariat and DGPR¹

Approved by: Jocelin Dumas

Approval date: November 23, 2021

To: DGPR

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Replaces the following policies:

1. POLICY BACKGROUND AND LEGAL FRAMEWORK

Division I, chapter VI.1 of the [Act Respecting the Régie de l'énergie](#) (chapter R-6.01) (the Act) sets out the framework for the mandatory regime of reliability standards applicable in Québec. The Régie de l'énergie (the Régie) is responsible for ensuring that electric power transmission in Québec is carried out in conformity with the reliability standards in effect in Québec (reliability standards) which it adopts and implements.

This policy deals with the handling of a complaint alleging non-compliance with a reliability standard by a registered entity subject to the standards (the Complaint). Consumer complaints filed with the Régie under chapter VII of the Act are excluded from this policy.

2. GENERAL PRINCIPLES

2.1 Oversight

The Régie has access to several tools to provide adequate oversight of its activities relating to the mandatory regime of reliability standards for electric power transmission.

In accordance with Section 85.4 of the Act, the Régie has entered into an agreement with the North American Electric Reliability Corporation (NERC) and Northeast Power Coordinating Council Inc. (NPCC) and has adopted the [Québec Reliability Standards Compliance Monitoring and Enforcement Program](#) (QCMEP), which specifies the roles of each party.

¹ Direction générale, planification et réglementation.

In accordance with Section 3.8 of the QCMEP, complaints alleging a failure to comply with a reliability standard by a registered entity must be submitted to the Régie.

3. PURPOSE

This policy, which is the responsibility of the Secrétariat of the Régie and the Direction générale, planification et réglementation (DGPR), describes the tools and processes put in place to handle any Complaint confidentially.

4. POLICY STATEMENT

4.1 Receipt of a Complaint

A person who wishes to file a Complaint (the Complainant) may do so anonymously by completing the [Form for complaint alleging a non-compliance](#) (the Form); which is available on the Régie's web site.

The form is sent by email to plaintes-PSCAQ@regie-energie.qc.ca, the email account reserved exclusively for the receipt of Complaints. The only person who has access to this email account is the DGPR assistant, who immediately informs the Secretary or the Assistant Secretary of the Régie that a Complaint has been received. They will assign a reference number to the Complaint and they are the only ones who will communicate with the Complainant, in order to ensure a functional separation between the Régie's personnel working in files concerning the adoption and enforcement of standards referred to in such Complaints.

In exceptional cases when a Form is emailed to secretariat-PSCAQ@regie-energie.qc.ca—the email account reserved for communications between the Régie and designated contacts of registered entities subject to the reliability standards—the persons responsible for managing this email account will forward the Form to the Secretary or the Assistant Secretary of the Régie, who will contact the Complainant by email to inform him that the preferred method for filing the Complaint is by using the Form and sending it to plaintes-PSCAQ@regie-energie.qc.ca.

In the event that a Complaint is submitted verbally by telephone to the Secretary or the Assistant Secretary of the Régie or to any other person, the Complainant is informed that he or she must email the Form to plaintes-PSCAQ@regie-energie.qc.ca.

Once the Form has been received, the Secretary or the Assistant Secretary of the Régie saves it in a secure, restricted-access file created for this purpose. The Secretary or Assistant Secretary of the Régie informs the managers concerned (Legal Services Department, DGPR and Department responsible of monitoring²). The managers concerned appoint a committee to evaluate the Complaint (the Evaluation Committee). The members of the Evaluation Committee may consult the Form.

² See the Régie's updated [organization chart](#) [in French only].

The Evaluation Committee confirms that the Complaint does concern the mandatory regime of reliability standards. Otherwise, the Evaluation Committee will recommend that the file be closed. As applicable, the Régie may forward the Complaint to the relevant authority to which it should have been sent and will inform the Complainant thereof.

4.2 Request for additional information

In order to handle the Complaint, the Evaluation Committee may request advice from NPCC or NERC in keeping with the confidential nature of information.

When the Evaluation Committee requires additional information, it will ask the Secretary or the Assistant Secretary of the Régie to contact the Complainant by email via the dedicated email account. It is incumbent upon the Complainant to formulate his Complaint to the best of his knowledge and by providing supporting documentation, where applicable. The Complainant may also be asked to submit a new Form.

When the Evaluation Committee is or remains of the opinion that the information is incomplete, it may refuse to conduct an investigation. The Régie will then inform the Complainant through its Secretary or Assistant Secretary of the Evaluation Committee's decision in writing (the conducting, or not, of an investigation).

4.3 Start of investigation following a Complaint

When the Evaluation Committee deems the preliminary information provided by the Complainant sufficient to begin an investigation, it will proceed with the investigation and ensure that the Complainant is informed thereof. If requested by the DGPR, the investigation of the entity referred to in the Complaint may be carried out by NPCC. Anonymized information concerning this Complaint will then be sent to NPCC. NPCC will select the process it deems most appropriate from those described in the QCMEP, and will begin the investigation.

The identity of the Complainant will remain confidential and handled as such at all times. Neither the Régie nor NPCC will be required to inform the entity concerned that an investigation is being conducted subsequent to a Complaint.

4.4 Results of investigation following a Complaint

The results of the investigation may lead to the identification of non-compliances with one or more reliability standards. The Régie and NPCC will then handle these possible non-compliances in accordance with the QCMEP. The Secretary or the Assistant Secretary of the Régie will inform the Complainant of the outcome of the investigation and send him the Evaluation Committee's report.

At the end of the investigation, the Form, working documents and communications related to the Complaint are handled in accordance with the rules of the Régie's retention schedule.

5. COMING INTO FORCE

This policy comes into force on the day it is adopted by the management committee, thereby cancelling all other policies on this subject previously adopted by the Régie de l'énergie.

APPROVED BY:

(S) Jocelin Dumas

Jocelin Dumas, Chairman

November 23, 2021

Date