

Electric Power Plant Facilities Process Guidelines

April 21, 2011

The attached checklists (Appendix 1 and Appendix 2) and flowchart (Appendix 3) are provided as aides for applicants when determining how to address the requirements of AUC Rule 007: *Rules Respecting Applications for Power Plants, Substations, Transmission Lines, and Industrial System Designations*, (AUC Rule 007), the *Hydro and Electric Energy Act* and the *Hydro and Electric Energy Regulation*. The checklists are intended to provide clarity and consistency regarding the Alberta Utilities Commission's (AUC or the Commission) application and process requirements for minor alterations to a power plant facility, and for small power plant applications and exemptions. Applicants are reminded that this checklist is not part of AUC Rule 007, but is intended only as a guide.

Checklist for Power Plant Facility versus Letter of Enquiry Applications

The answers to questions in the checklist (Appendix 1) will guide the applicant to the type of application that will meet the requirements of AUC Rule 007 when proposing minor alterations to a power plant. Depending on the nature of the application the applicant may:

- file a facility application pursuant to AUC Rule 007 s. 3 or s. 4 (Section 11 of the *Hydro and Electric Energy Act*)
- file a letter of enquiry (LOE) pursuant to AUC Rule 007 s. 1.4 (Sections 11 and 12 of the *Hydro and Electric Energy Regulation*)
 - o requesting approval to proceed; which may or may not require minor changes to an existing approval, or
 - o advising that the project is minor in nature, no person is directly affected, and there is no adverse environmental impact; filed for information
- proceed without filing a facility application or letter of enquiry.

Checklist for small power plant applications for approvals or exemptions

The answers to questions in the checklist (Appendix 2) will guide the applicant to the type of application that will meet the requirements of AUC Rule 007 when proposing to construct or materially alter a small power plant (capacity less than 1 MW). Depending on the nature of the project the applicant may satisfy the requirements of AUC Rule 007 and AUC Rule 012: *Noise Control* (AUC Rule 012) in a streamlined manner, for applications for power plant approvals or exemptions. Depending on the nature of the application the applicant may:

- file a facility application pursuant to AUC Rule 007 s. 3 or s. 4 (Section 11 of the *Hydro and Electric Energy Act*)
- file an exemption application pursuant to AUC Rule 007 s. 1.4 (Sections 13 of the *Hydro and Electric Energy Act*).

Appendix 1

Checklist for Power Plant Facility versus Letter of Enquiry Applications

In order to provide clarity, the AUC has identified a number of criteria and questions that should be considered by applicants when determining whether or not an application or LOE is required, and, if so, the type to use. It is not possible to anticipate every possible scenario/factor that could arise, but the AUC has identified the most common ones and assembled them in the following checklist to provide guidance to power plant owners. The checklist does not replace or alter the requirements in the applicable acts, regulations or rules.

#	Question – issue to consider	YES/NO?	Process implication
1a.	Is the project a new power plant?	?	If yes, file a power plant application pursuant to s. 3 of AUC Rule 007 and s. 11 of the HEE Act. If no, proceed to next question.
1b.	Is the project a major alteration to a power plant with a capacity of 1 megawatt or greater? Please state whether the power plant is exempt pursuant to s. 13 of the HEE Act, or is a pre-1971 facility.	?	If yes, file a power plant application pursuant to s. 3 of AUC Rule 007 and s. 11 of the HEE Act. If no, proceed to next question.
2.	Is the project a minor alteration (i.e. capital or capital maintenance) to a power plant previously approved by the AUC, or to a power plant that is exempt pursuant s. 13 of the HEE Act, or is a pre-1971 facility? Please provide the criteria used to distinguish between capital projects and operation and maintenance expenses.	?	If yes, proceed to question 4. If no, please proceed to next question.
3.	Is the project classified as operation and maintenance?	?	If yes, and there is no impact on a person or an adverse environmental impact, proceed without filing a LOE. If yes, and there is an impact on a person or an adverse environmental impact, file a LOE.

4.	Does the project alter the rated capacity of the power plant?	?	If yes, please state whether or not you have sign off from the AESO to proceed, and/or if you have sign off from the TFO or DFO your power plant is connected to. Proceed to next question. If no, proceed to next question.
For minor alteration or maintenance projects – answer the following questions to clarify whether the project requires a power plant application, LOE, or no application.			
5.	Is there new/additional equipment in the power plant?	?	If yes, please specify.
6.	Is the project a ‘like-for-like’ replacement? Use the following questions to clarify...	?	
6a.	- is there a change to the fence line or location of the power plant?	?	If yes, please specify.
6b.	- is there a change to the height or dimensions of the new structure or equipment? - is there a change in the structure or equipment from what was approved and listed in the original/current approval?	?	If yes, please specify.
6c.	- if equipment is being replaced, is there a change in the rating or noise profile from that of the original equipment?	?	If yes, please specify.
6d.	- will the change or alteration result in adverse visual impacts?	?	If yes, please specify.
Feedback pursuant to notification or consultation			
7.	Clarify the nature and details of the notification or consultation undertaken with respect to the project. Were there any objections to any aspect of the project?	?	If yes, are there any unresolved objections?

	Consideration of the potential for an adverse environmental impact		
8.	Does the project negatively affect air emissions, groundwater, water body, or involve the handling or disposal of a hazardous material or a contaminant? i.e. transformer replacements or major components of a hydro facility	?	If yes, please specify.
9.	Would the project require an amendment to the conditions of the current approval, or would it impact any known environmentally sensitive area?	?	If yes, please specify.
10.	Does the project require the approval of another government department or agency (i.e. AENV, SRD, Department of Fisheries and Oceans...)?	?	If yes, please specify.
11.	Does the project raise issues not addressed by the preceding questions?	?	If yes, please contact AUC staff or file an application seeking clarification.
12.	What is required?		If the answers to questions 5-6 are no, and 7-10 are also no, proceed to 12a. If any answers to questions 5-6 or 7-10 are yes, proceed to 12b.
12 a.	File a LOE for information purposes, consisting of a completed checklist and a brief description of the project.		The AUC will/may approve the information filing. The information filing would be referred to in event there is a complaint related to the project. Further, the information filing will/may be subject to a subsequent compliance audit by the AUC.

<p>12 b.</p>	<p>File a LOE consisting of a completed checklist and enough information to address the requirements of s. 12 of the HEE Regulation.</p> <p>Clearly indicate the relief requested, and whether or not an amendment is required to an existing approval.</p>	<p>?</p>	<p>The AUC will/may proceed without further process, subject to the adequacy of the information provided in the LOE, and the Commission finding that the project is minor in nature, and does not adversely impact a person or the environment.</p> <p>The LOE would be referred to in event there is a complaint related to the project. Further, the LOE will/may be subject to a subsequent compliance audit by the AUC.</p>
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Appendix 2

Checklist for small power plant applications and exemptions

In order to provide clarity, the AUC has identified a number of criteria and questions that should be considered by applicants when determining what issues to consider in making an application for a power plant approval or exemption. It is not possible to anticipate every possible scenario/factor that could arise, but the AUC has identified the most common ones and assembled them in the following checklist to provide guidance to power plant owners. The checklist does not replace or alter the requirements in the applicable acts, regulations or rules.

#	Question – issue to consider	YES/NO?	Process implication
1.	Is the power plant rating 1 megawatt (MW) or greater?	?	<p>If yes, file a power plant application unless you are seeking an exemption from s. 11 of the HEE Act.</p> <p>If no, and you are applying for a power plant approval, proceed to question 2.</p> <p>If no, and you believe you are exempted from s. 11 of the HEE Act, proceed to question 6.</p>
	Small power plant applications		
2.	For all power plants with a rating greater than 10 kW, but less than 1 MW please consider the following questions to clarify the use(s) of your power plant.		If your power plant is less than 10 kW a power plant application is not required.
2a.	Is your project an emergency generator? Is this an essential service (i.e. fire, police, hospital etc.)?	?	If yes, please specify.
2b.	Is your project a temporary generator? How long will this generator be required?	?	If yes, please specify.
2c.	Is your project a standby generator? How will this generator be operated?	?	If yes, please specify.

2d.	Is your project considered a micro generation project pursuant to the <i>Micro Generation Regulation</i> ?	?	If yes, please specify.
2e.	All other small generation...provide details.		
3.	Does your power plant comply with Rule 012 – <i>Noise Control</i> ?	?	
	If your project clearly meets the criteria set out in Rule 012 s. 3.2(2) you may only be required to submit the Noise Impact Assessment Summary Form (Appendix 3 in AUC Rule 012). Otherwise a detailed noise impact assessment is required and must be included in the power plant application.		
4.	Provide details regarding the type of notification or consultation performed, and the results, including any objections received. Are there any unresolved objections?	?	If yes, please specify.
	What is required?		
5.	File a small power plant application under s. 4 of AUC Rule 007 with the information requested in questions 2-4. Applicants must use the AUC’s electronic application system (Digital Data Submission – DDS). Select: Fac-Elec Power Plant (application category) Power Plant (type) Indicate on Schedule 1 that your power plant is less than 1 MW, and then complete the small power plant form.		The AUC will/may proceed without further process, subject to the adequacy of the information provided in the application, and the Commission finding that the project is in the public interest.
	Small power plant exemptions		
6.	Is the electricity produced by the power plant solely for the applicant’s own use? Provide details that confirm the generator is for the applicants own use, and not connected to the Alberta Interconnected Electric System.	?	If yes, please specify.

7.	<p>Does your power plant comply with Rule 012 – <i>Noise Control</i>?</p> <p>If your project clearly meets the criteria set out in Rule 012 s. 3.2(2) you may only be required to submit the Noise Impact Assessment Summary Form (Appendix 3 in AUC Rule 012). Otherwise a detailed noise impact assessment is required and must be included in the power plant application.</p>		
8.	<p>Provide details regarding the type of notification or consultation performed, and the results, including any objections received. Are there any unresolved objections?</p>		<p>If yes, please specify.</p>
	<p>What is required?</p>		
9.	<p>File an exemption application under s. 1.4 of AUC Rule 007 with the information requested in questions 6-8.</p> <p>Applicants must use the AUC’s electronic application system (Digital Data Submission – DDS).</p> <p>Select: Fac-Elec Power Plant (application category) Power Plant Exemption (type)</p>		<p>The AUC will/may proceed without further process, subject to the adequacy of the information provided in the exemption application, and the Commission finding that the project is exempt from s. 11 of the HEE Act.</p>

Appendix 3

