

Rule 017

Procedures and Process for Development of ISO Rules and Filing of ISO Rules with the Alberta Utilities Commission

The Alberta Utilities Commission (Commission) has approved amendments to this rule on February 23, 2010.

1 Definitions

In these rules,

- (a) “Commission” means the Alberta Utilities Commission;
- (b) “draft ISO rule” means a proposed new ISO rule, a proposed change to an existing ISO rule or a proposed removal of an existing ISO rule, made in accordance with the *Electric Utilities Act*;
- (c) “expedited ISO rule” means a new ISO rule, a change to an ISO existing rule, or removal of an existing ISO rule, made in accordance with the *Electric Utilities Act*;
- (d) “ISO” means the Independent System Operator established under the *Electric Utilities Act*.

2 Development of ISO rules

When the ISO determines that a draft ISO rule is needed, the ISO must inform market participants by giving notice, by way of a letter of notice.

3 Letter of notice

A letter of notice must set out:

- (a) the reasons for the draft ISO rule and a description of what the draft ISO rule is intended to address;
- (b) the manner in which comments will be received;

- (c) the deadline date for comments which must not be less than 15 days from the later of:
 - (i) the date of the letter of notice;
 - (ii) the date of posting the letter of notice to the ISO website; or
 - (iii) the date the letter of notice was sent to market participants; and
- (d) instructions regarding where the information outlined in section 5(2) of this Rule can be viewed on the ISO website.

4 Attachment to letter of notice

The ISO must attach the draft ISO rule to the letter of notice. If the ISO is requesting the Commission determine that the disclosure of the draft ISO rule would not be in the public interest, the ISO must attach a summary of the draft ISO rule to the letter of notice.

5 Posting on ISO website

- (1)** A letter of notice must be posted on the ISO website and sent to the market participants that the ISO considers likely to be affected by the draft ISO rule.
- (2)** When a letter of notice is posted on the ISO website the ISO must post on its website:
 - (a) a copy of any discussion papers prepared by the ISO regarding the draft ISO rule and any written comments received by the ISO from parties in response to such discussion papers; and
 - (b) any terms of reference regarding policy consultations that relate to the draft ISO rule and any related documents regarding the draft ISO rule in accordance with the terms of reference adopted for consultation regarding the draft ISO rule.

6 Issuance of new letter of notice

Where a letter of notice has been sent without a draft ISO rule or a summary attached to the letter of notice, the ISO must issue a new letter of notice regarding the draft ISO rule, in accordance with these rules, and provide a deadline date for comments of at least 15 days from the new letter of notice.

7 Posting of comments

The ISO must post on its website a copy of all comments received in response to a letter of notice, if any.

8 Reply to comments

The ISO must consider the comments received in response to a letter of notice and prepare a reply to the comments, including whether the ISO has made changes to the draft ISO rule attached to a letter of notice.

9 Contents of reply

(1) The ISO's reply must set out:

- (a) the date on which the draft ISO rule is expected to be filed with the Commission;
- (b) a statement that a market participant may object to a draft ISO rule filed with the Commission within 10 days of the publication by the Commission of the notice of filing of the draft ISO rule, in accordance with the *Electric Utilities Act*; and
- (c) the date that the ISO proposes that the draft ISO rule come into force, if not stated in the draft ISO rule.

(2) If the ISO received comments regarding the draft ISO rule, the ISO's reply must specify the rationale or basis for the position of the ISO that explains why certain positions were rejected or accepted.

10 Posting of reply

The ISO's reply must be sent to market participants, or other persons who submitted comments and must be posted on the ISO website.

11 Filing of ISO rule

The ISO must file a notice of filing of a draft ISO rule with the Commission in accordance with the Commission's Rules of Practice and the following:

- (a) if the ISO received comments regarding the draft ISO rule, the notice of filing must be filed at least 15 days after the later of:
 - (i) the date of issuing of the reply from the ISO;
 - (ii) the date of posting the reply to the ISO website; or
 - (iii) the date the reply was sent to market participants;
- (b) if no comments were received by the ISO regarding the draft ISO rule, the notice of filing must be filed no sooner than 3 days after the deadline for comments as specified in the letter of notice.

12 Notice of filing of ISO rule

The ISO's notice of filing must set out:

- (a) the specific provision of the enactment under which the draft ISO rule is made;
- (b) the reasons for the draft ISO rule and a description of what the draft ISO rule is intended to address;
- (c) the date or dates the letter of notice respecting the draft ISO rule was sent to market participants and posted on the ISO website;
- (d) the proposed date for the coming into force of the draft ISO rule;
- (e) if comments were received by the ISO concerning the draft ISO rule, the rationale or basis for the final position of the ISO that explains why certain positions were rejected or accepted in determining the draft ISO rule; and
- (f) in a case where the ISO is requesting that the publication of the draft ISO rule would not be in the public interest, an explanation for the request and the summary of the draft ISO rule.

13 Attachments to notice of filing of ISO rule

The ISO must attach to the notice of filing

- (a) the draft ISO rule or, in the case where the ISO will be requesting the Commission to determine that the disclosure of the draft ISO rule would not be in the public interest, a summary of the draft ISO rule;
- (b) the draft ISO rule blacklined to identify changes to the existing ISO rule, if the draft ISO rule is a change to an existing ISO rule and the ISO has not requested the Commission to determine that the disclosure of the draft ISO rule would not be in the public interest;
- (c) a summary of any comments received regarding the draft ISO rule, the name of the party who submitted each comment and the date on which each comment was submitted;
- (d) a summary of the ISO reply and the date of the reply; and
- (e) all letters of notice relating to the draft ISO rule.

14 Expedited ISO rule

- (1) Notwithstanding sections 2 to 13, the ISO may make an expedited ISO rule in accordance with the *Electric Utilities Act*.
- (2) The ISO must post a letter of notice regarding the expedited ISO rule on the ISO website and send a letter to the market participant that the ISO considers likely to be affected by the expedited ISO rule.
- (3) A letter of notice under this section must state:
 - (a) the reasons for the expedited ISO rule and a description of what the expedited ISO rule is intended to address;
 - (b) if any letters of notice have been previously sent regarding a draft ISO rule which has become an expedited ISO rule; and
 - (c) whether the expedited ISO rule is effective on the date of filing with the Commission or the date specified in the rule, if that date is later than the filing date.
- (4) The ISO must attach the expedited ISO rule to the letter of notice. If the ISO is requesting the Commission determine that the disclosure of the expedited ISO rule would not be in the public interest, the ISO must attach a summary of the expedited ISO rule to the letter of notice.
- (5) A letter of notice must be posted on the ISO website and sent to the market participants that the ISO considers likely to be affected by the expedited ISO rule.
- (6) When a letter of notice is posted on the ISO website the ISO must post on its website:
 - (a) a copy of any discussion papers prepared by the ISO regarding the expedited ISO rule and any written comments received by the ISO from parties in response to such discussion papers; and
 - (b) any terms of reference regarding policy consultation that relate to the expedited ISO rule and any related documents regarding the expedited ISO rule in accordance with the terms of reference adopted for consultation regarding the expedited ISO rule.

15 Notice of filing of expedited ISO rule

Notwithstanding sections 12 and 13, when the ISO files an expedited ISO rule, the ISO's notice of filing must set out:

- (a) the specific provision of the enactment under which the expedited ISO rule is made;
- (b) the reasons for the expedited ISO rule and a description of what the expedited ISO rule is intended to address;
- (c) the proposed date for the coming into force of the expedited ISO rule; and
- (d) in a case where the ISO is requesting that the publication of the expedited ISO rule would not be in the public interest, an explanation for the request and the summary of the expedited ISO rule that would be made available.

16 Attachments to notice of filing of expedited ISO rule

The ISO must attach to a notice of filing:

- (a) the expedited ISO rule or, in the case where the ISO will be requesting the Commission determine that the disclosure of the expedited ISO rule would not be in the public interest, a summary of the expedited ISO rule;
- (b) the expedited ISO rule blacklined to identify changes to the existing ISO rule, if the expedited ISO rule is a change to an existing ISO rule and the ISO has not requested the Commission to determine that the disclosure of the expedited ISO rule would not be in the public interest; and
- (c) all letters of notice relating to the expedited ISO rule.

17 Consultation record

If a market participant objects to a draft ISO rule filed pursuant to the *Electric Utilities Act*, and the Commission issues a Notice of Proceeding concerning such objection, the ISO must file the documents identified in (a) and (b) below no later than the date by which statements of intent to participate are to be filed in such proceeding:

- (a) a copy of any discussion papers prepared by the ISO regarding the draft ISO rule and any written comments received by the ISO from parties in response to such discussion papers; and
- (b) any terms of reference regarding policy consultation that relate to the draft ISO rule and any related documents regarding the draft ISO rule in accordance with the terms of reference adopted for consultation with market participants concerning the draft ISO rule.

18 Coming into force

This rule comes into force on April 1, 2010.