

Application and Hearing Process

Hanna Region (East-Central Alberta)
Transmission System Development
Needs Identification Document

November 30 to December 3, 2009
Drumheller, Hanna, Stettler, Hardisty

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Outline

- About the AUC
- The applicant and application
- The AUC application process
- How to participate
- The AUC hearing process
- Intervener funding
- Questions
- Accessing the application and submissions

Background

- Quasi-judicial independent agency
 - Established January 1, 2008
- Regulate electric & natural gas rates
- Oversee the wholesale electricity market
- Regulate need for and the development of electric facilities

The applicant

Alberta Electric System Operator (AESO)

- Oversee the operation of the Alberta Electric Transmission System
- Plan for expansions of the Alberta Electric Interconnected System

The 'needs' application

- Needs Identification Document (NID) Application
 - In a NID application AESO identifies the need for transmission system expansions and explains how it addresses that need
- AESO submits NID application to AUC for approval

The regulator

- Review the application to ensure it is complete
- Issue notification to allow interested parties the opportunity to participate
- Hold a hearing (if required)
- Make a decision regarding the application
 - For a denial of the application Interveners must prove that the application is contrary to the public interest or technically deficient

After the decision

- If approved, the AESO assigns responsibility to advance a project to a Transmission Facility Owner (TFO)
 - TFO submits a ‘facility’ application to the AUC describing the technical details of the proposed development including the specific location of the substations and transmission lines
- If denied, the application is returned to the AESO with directions

Application process

AESO public consultation process

AESO submits application to AUC

AUC reviews application

Notice issued to public

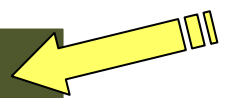
Opportunity to participate

Hearing

Decision

Cost awards

We are here



Notice of Hearing

- Published in local newspapers & AUC website
- Sent as a general mail out to residents in the area
- Mailed directly to residents within 800 metres of existing transmission structures sited in the application

How to participate

- If you have concerns about, object to, or support the application, inform the AUC by email (or a letter)
- Send a duplicate copy to the applicant (AESO)
- Submissions must be made by Friday, December 18, 2009

Submissions

In your email (or letter) include:

- Name (or organization)
- Address (and legal land description)
- Contact information (phone number & email address)
- Re: Proceeding ID 278

Submissions (cont.)

- State your position
 - Is the application in the public interest having regard to the social, economic and environmental impacts?
 - Is the application technically deficient?
- Reasons for your position
- Whether you will be participating in the hearing
- The decision you would like the AUC to make in regard to the application and your reasons why you think it should be decided that way

Public information

- Any letter or information filed with the AUC about the application is placed on the public record
- If there is personal information that you do not want placed on the public record, you must make a request for confidentiality **before** you send in such information
- Refer to AUC Rule 001, Rules of Practice for more information

The hearing

- General public may attend the hearing in Stettler, however only those who made a submissions by December 18th will be able to participate
- Participants can represent themselves or hire legal counsel
- Participants may hire experts to assist in preparing evidence to support their position

The hearing (cont.)

Evidence/ Submissions

- Must be filed prior to the start of the hearing (see the schedule)
- All parties must have time to review the evidence
- Person presenting the evidence (witness) may be questioned on the evidence during the hearing

The hearing room



The hearing (cont.)

- Opening remarks by the chair of the panel
- Preliminary matters
- Applicant presents case for application
- Questioning of applicant witnesses
- Participants present their cases
- Questioning of participants' witnesses
- Final argument
- Closing of hearing

The decision

- AUC typically issues its decision within 90 days of the conclusion of the hearing (May 2010)
- The panel has three options in reaching a decision for the needs application
 - Approve
 - Refer back to the AESO with directions or suggestions to changes or additions
 - Deny

'Needs' application decision

Assumption of correctness unless an interested party demonstrates that the need is technically deficient, or not in the public interest

Examples of a technical deficiency:

- Inaccurate modeling used to determine the need or timing of the need.
- Unfounded rationale to determine the preferred option for expansions or enhancement

Examples where the project may not be in the public interest:

- Excessive costs
- Unacceptable environmental impacts
- Land-use impacts

Intervener funding

- Who is a local intervener?
 - A person or group occupying or entitled to occupy land considered to be directly and adversely affected by a decision or order
- Rule 009, Rules on Local Intervener Costs
 - Costs awarded in accordance with the scale of costs included in Rule 009
 - Determined based upon the contribution made at the hearing

Intervener funding (cont.)

- Parties with similar interests and positions are encouraged to work together to ensure that cost are not duplicated
- Types of costs that may be claimed include legal fees, expert fees, hearing attendance and out of pocket expenses
- Cost claims must be claimed within 30 days after the hearing

Important dates

December 18, 2009	Submission deadline for intent to participate in hearing
January 11, 2010	Submissions of all information by interested parties
January 25, 2010	Reply submissions by AESO and all interested parties
February 22, 2010 at 9:00 a.m.	Start of hearing Location: Stettler Recreation Centre

- Current applications page
- Involving Albertans
- Items of Interest > East-Central Transmission Needs
- E-Filing Services & Regulatory Document Search (Proceeding Search ID 278)
- AUC Rules (Rule 001 & Rule 009)

Questions?