



April 6, 2010

**To: Alberta Utilities Commission (“AUC” or “Commission”)**

**Re: Notice of Filing –Further Proposed Amendments to ISO Rules 10 Information Exchange:**

- a) **Specific amendments to ISO rules 10.9 Confidentiality (to be Part 100, Division 103 Administration, Section 103.1 Confidentiality);**
  - b) **Removal of Obsolete Existing Appendix 5 of ISO Rules; and**
  - c) **Confirmation of Removal of Obsolete Existing ISO rules Sections 10.1 to 10.9**
- (collectively “Rule 10 Changes”)**
1. The Alberta Electric System Operator (“AESO”) is filing the attached ISO rules pursuant to Section 20.2(1) of the *Electric Utilities Act* (“EUA”). The AESO is authorized to make ISO rules, including Operations Policies and Procedures (“OPPs”), in accordance with Sections 19 and 20 of the EUA.
  2. The Rule 10 Changes are considered by the AESO to be Level II Changes. Level II Changes are changes that are expected to have a moderate or low impact on the industry and/or the AESO, and generally require little or no effort by stakeholders in implementing a solution.

#### **Summary of Existing ISO Rule**

3. ISO rule 10 sets out information disclosure principles, guidelines concerning confidential information, and provides a list of reports the AESO exchanges with market participants.

#### **Transition of Authoritative Documents (“TOAD”) Reforms**

4. The proposed Rule 10 Changes are the result of specific changes and reforms with respect to the TOAD Project. The AESO is seeking to eliminate duplication, address conflicts and gaps, and improve clarity among and within its three authoritative document domains: the ISO rules, the ISO tariff and the Alberta Reliability Standards. Information on the TOAD project can be found on the AESO website at [www.aeso.ca](http://www.aeso.ca).



## Summary of Amendments – Standardization of AESO Authoritative Document Domains

5. On October 8, 2009, the AESO issued a Letter of Notice requesting comments from market participants and interested parties regarding the Rule 10 Changes. On November 24, 2009, the AESO posted its reply to comments received from stakeholders in response to the October 8, 2009 Letter of Notice. On February 5, 2010, the AESO issued a second Letter of Notice regarding the Rule 10 Changes that reflected stakeholder comments received in response to the October 8, 2009 Letter of Notice. On March 11, 2010, the AESO posted its reply to comments received from stakeholders in response to the February 5, 2010 Letter of Notice. In this letter, the AESO confirmed that no comments were received from market participants or interested parties with respect to the proposed Rule 10 Changes.
6. The Rule 10 Changes will achieve consistency between the ISO rules, ISO tariff and Alberta Reliability Standards domains: confidentiality provisions will be set out in the ISO rules and as such, will not be required to be repeated or referenced in the Alberta Reliability Standards or ISO tariff. It bears noting that, on March 4, 2010, the AESO filed complementary ISO tariff changes as part of the 2010 ISO tariff Application to eliminate any duplicative references to confidentiality under the ISO tariff.
7. As part of the Rule 10 Changes, the AESO proposes that sections 10.1 to 10.9 of the ISO rules, which require the AESO to maintain and publish certain reports and information, be removed from the existing ISO rules framework in their entirety. If confirmed by the Commission, the new Confidentiality rules will be located in the new ISO rules framework under Division 103 – Administration, Section 103.1 “Confidentiality”. The proposed Section 103.1 also utilizes the AESO’s new Authoritative Document-based template for ISO rules.
8. The second consultation on the Rule 10 Changes included further amendments to proposed Section 103.1 - Confidentiality - which will appear as a newly reformed ISO rule in the new ISO rules framework. The second consultation also reconfirmed the proposed removal of obsolete obligations requiring the AESO to maintain and publish certain reports and information that currently appear in Sections 10.1 through 10.9 of ISO rule 10. In addition, the AESO identified for removal Appendix 5 - *Information to be Provided through the ISO* - as the AESO publishes all required reports on its website.
9. The AESO proposes that existing ISO rule 10.10 remain in section 10 of the existing ISO rules framework. ISO rule 10.10 will be relocated in the new ISO rules framework at a later date.



## **AESO Reply to Stakeholder Comments**

10. The AESO is required to provide a reply to market participant comments pursuant to Section 8 of the Commission Rule 017.
11. During the initial consultation, the AESO received comments only with respect to new ISO rules Section 103.1 - Confidentiality.
12. In light of the above, after careful consideration of the comments received from market participants, the AESO revised the appropriate provisions of new ISO rule Section 103.1 such that the AESO will treat information that identifies a market participant's name or its facilities as confidential unless the AESO gives the market participant written notification that the information will not be treated as confidential; unless that information is subject to the public domain or disclosure by law, including ISO rules, ISO tariff and Alberta Reliability Standards.
13. The AESO is of the view that, while the newly proposed changes to Section 103.1 were aligned with stakeholder comments, the changes were significant enough to warrant a second consultation. The stakeholder comments universally were supportive of the removal of the obsolete sections in ISO rules 10.1 through 10.9 and the AESO will proceed with their removal.
14. Please note that no written comments were received by the AESO on the proposed Rule 10 Changes issued for the second consultation.

## **Attachments to Notice of Filing**

15. In accordance with Section 13 of Commission Rule 017, the following documents are attached to this Notice of Filing:
  - a) Letter of Notice forwarded to market participants and interested parties the AESO considered likely to be affected by these changes and which was posted on the AESO web site on October 8, 2009. Please note that the AESO has not issued any previous Letters of Notice regarding these changes;
  - b) Stakeholder Comments on October 8th Letter of Notice posted on the AESO web site November 12, 2009, setting out the written comments received, the name of the market participant or other parties who submitted each comment and the date on which the comment was submitted;
  - c) Final Proposed Letter posted on the AESO web site on November 24, 2009, with the AESO's reply to comments received on the October 8, 2009 Letter of Notice and the date of the reply that was sent to market participants that the AESO considers likely to be affected by these changes;



- d) Letter of Notice that was sent to market participants that the AESO considers likely to be affected by these changes and that was posted on the AESO website on February 5, 2010 ("February 5<sup>th</sup> Letter of Notice"). As noted in a) above, the AESO had issued a previous Letter of Notice regarding these changes;
  - e) AESO Reply Letter, posted on the AESO web site on March 11, 2010 which confirms that no comments were received from market participants or interested parties on the Rule 10 Changes;
  - f) Clean copy of the Rule 10 Changes as a new Section 103.1 - "Confidentiality" - under the new framework and, for ease of reference, a copy of sections 10.1 – 10.9 of the existing ISO rule 10 and Appendix 5 that are proposed to be removed; and
  - g) While not required by section 13 of Commission Rule 017, a copy of the rationale for the Rule 10 Changes.
- \* Please be advised that certain of the attachments noted above include reference to other ISO rules that are not the subject of this filing.

**Proposed Effective Date**

- 16. The AESO proposes that the above-filed Rule 10 Changes take effect on April 30, 2010.
- 17. The AESO submits that the filed Rule 10 Changes comply with Commission Rule 017 and further submits that the filed Rule 10 Changes are not technically deficient, support the fair, efficient and openly competitive operation of the market and are in the public interest.

Yours sincerely,

*<original signed by>*

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Attachments