

ELECTRONIC NOTIFICATION

September 8, 2009

To: Markets Distribution List

**Roundtable Meeting – Process Outline
Consultation on Market Surveillance Administrator (MSA) Proceedings Before the Alberta
Utilities Commission (AUC or Commission)**

I am writing to outline the agenda, procedure and other related matters for your consideration and comment.

Participants from the Commission will include markets, regulatory and law staff as well as Commissioner Tudor Beattie and Dr. Moin Yahya, Policy Advisor to the Chairman of the Commission. I will chair the meeting with some introductory remarks given by Fino Tiberi, Executive Director, Regulatory Policy.

The purpose of the roundtable meeting will be to allow stakeholders to discuss both the issues raised in Ken Jull’s paper of June 30, 2009 and the Specified Penalty paper, both found as attachments to Bulletin 2009-016 as well as other participants’ positions set out in the submissions received on August 17, 2009. Commission staff and Ken Jull will also participate in the discussion as will Commissioner Beattie who may make comment or ask questions but who will not answer any questions.

A record of the roundtable meeting will be kept either in the form of note taking by Commission staff or a recording which will be transcribed. Please advise as to whether you have any concerns with a court reporter recording the roundtable meeting. If the Commission does not hire a court reporter, the notes taken by Commission staff will be circulated to participants after the meeting for review for accuracy and completeness. Please advise whether you prefer that parties be identified with their comments or not.

The discussion of the topics will unfold with one party taking the lead in initiating the discussion. This need not be lengthy but should adequately cover the topic from that speaker’s point of view. Other parties would then be asked for their views or comments. Below is an outline, if you have comments please advise.

TOPIC	PARTY
Rules vs. Common Law	ENMAX Energy Corporation
Standard of Proof	Market Surveillance Administrator
Availability of Defences	TransCanada Energy Ltd.
Quantum of Penalty	TransAlta Corporation
Divesting of Economic Benefit	Capital Power Corporation

Nature of Hearings	Independent Power Producers Society of Alberta
Evidence	TransAlta Corporation
Disclosure	Market Surveillance Administrator

With respect to the Specified Penalties component of the discussion, we will have Commission staff lead this portion and will give all parties an opportunity to speak to the issues.

The meeting will take place in the Commission's main Board Room (#498) located adjacent to our reception area on the 4th floor, 425-1st Street SW, Calgary. We have initially allotted a half day to the meeting (9:00 a.m. to 1:00 p.m.) with some baked goods, coffee and fruit available at 8:30 a.m., but please be prepared to go into the afternoon if necessary. Lunch will be served.

Following the roundtable a date will be set for parties to provide written comments in response to parties' comments at the roundtable discussion. All written comments and submissions, including the record taken of the round table meeting, filed in connection with this consultation will be considered by the full Commission and could form the basis for a regulatory framework regarding MSA proceedings before the Commission.

Please provide any comments to this letter by **4:00 p.m. on Friday, September 11, 2009.**

All Bulletins, stakeholder comments and both discussion papers can be found under the Market Oversight > Market Consultations section of the Commission website.

If you have any questions please contact John Esaiw at (403) 592-4479 or john.esaiw@auc.ab.ca, or Doug Larder at (403) 592-4520 at doug.larder@auc.ab.ca.

Yours truly,

<original signed by>

Douglas A. Larder, Q.C.
General Counsel