

## Frequently Asked Questions about Preferential Sharing of Records:

**Q: What information cannot be shared between market participants?**

A: Subsection 3(1) of the FEOC Regulation states that a market participant may not share records that are not available to the public relating to any past, current or future price and quantity offer made to the power pool or for the provision of ancillary services.

**Q: Are there any exceptions to the information that cannot be shared between market participants?**

A: Subsection 3(2) of the FEOC Regulation identifies records that are not available to the public that may be shared. Records that are not available to the public that may be shared include those:

- (a) between market participants who are affiliates of each other,
- (b) between market participants 60 days after the price and quantity offer was made to the power pool or for the provision of ancillary services,
- (c) by a market participant with a broker, brokerage, forward exchange or person who prepares a price index for the purpose of, or related to, trading electricity, electric energy, electricity services or ancillary services,
- (d) by a market participant with the AESO or the MSA,
- (e) by a market participant with another person, where required or permitted to do so by any enactment, except an ISO rule,
- (f) by a market participant with another person, where required or permitted to do so by an ISO rule, but only to the extent that sharing is for the sole purpose of financial settlement,
- (g) pursuant to an agreement or arrangement approved by the ISO before the coming into force of the FEOC Regulation, for a period of one year after the coming into force of the FEOC Regulation or until the expiry or termination of the agreement or arrangement, whichever is earlier, or
- (h) in accordance with an order of the Commission.

**Q: I already have an information sharing agreement that was approved by the AESO. Why do I need to do anything further?**

A: Agreements or arrangements approved by prior to September 1, 2009 are allowed to continue for a period of one year after September 1, 2009 or until the expiry or termination of the agreement or arrangement, whichever is earlier.

**Q: When should I notify the Commission of an existing agreement or arrangement?**

A: Parties with an existing arrangement that expires in 2009 must notify the Commission **on or before September 15, 2009** if they intend to file an application with the Commission pursuant to subsection 3(3) of the FEOC Regulation.

Parties with an existing arrangement that expires in 2010 or beyond must notify the Commission **on or before October 15, 2009** if they intend to file an application with the Commission pursuant to subsection 3(3) of the FEOC Regulation.

**Q: I don't have an existing agreement or arrangement that was approved by the AESO. What do I do?**

A: If a market participant wishes to share records that are not available to the public relating to any past, current or future price and quantity offer made to the power pool or for the provision of ancillary services, the market participant who intends to share the information must make an application to the Commission.

**Q: Who is required to file an application with the Commission?**

A: The market participant who intends to share the information must make an application to the Commission.

**Q: What does my application need to contain?**

A: The Commission has provided the minimum filing requirements to assist the Commission in determining whether a market participant has met the requirements set out in subsection 3(3)(a) and (b) of the FEOC Regulation.

**[Minimum Filing Requirements](#)**

**Q: What criteria will the Commission use in assessing my application?**

A: The Commission will review the information contained within the application, and encourages market participants to file as complete an application as possible, with reference to the minimum requirements noted above. Market participants are required to establish that:

- (a) records will not be used for any purpose that does not support the fair, efficient and openly competitive operation of the electricity market, including the conduct referred to section 2 of the FEOC Regulation; and
- (b) the sharing of the records is reasonably necessary for the market participant to carry out its business.



**Q: Who should I contact if I have questions regarding my application?**

A: Prior to filing an application with the Commission, parties may contact:

John Esaiw  
Executive Director, Markets  
(403) 592-4479  
[john.esaiw@auc.ab.ca](mailto:john.esaiw@auc.ab.ca)

Or

Darin Lowther  
Director, Market Rules  
(403) 592-4507  
[darin.lowther@auc.ab.ca](mailto:darin.lowther@auc.ab.ca)

After an application has been filed, please contact the Application Officer that has been assigned to your particular application.

**Q: Where do I send a complete application?**

A: Electronic copies of the Application can be filed with the AUC at:

E-mail: **Filings@auc.ab.ca**  
Subject: **Preferential Sharing of Records**