

# Bulletin 2009-31

December 18, 2009

## **Revision of Rule 017 – Procedures and Process for Development of ISO Rules and Filing of ISO Rules with the Alberta Utilities Commission**

The Alberta Utilities Commission (AUC or Commission) is inviting comments from market participants and interested parties respecting proposed changes to AUC Rule 017 - *Procedures and Process for Development of ISO Rules and Filing of ISO Rules with the Alberta Utilities Commission* (AUC Rule 017).

On July 29, 2009, the Commission issued [Bulletin 2009-20](#), which among other things, sought input from stakeholders with respect to the process to hear objections and complaints respecting ISO rules. In particular, the Commission sought comments from stakeholders regarding the scope of the consultation process that AESO conducts prior to the filing of an ISO rule with the Commission and the use of the materials flowing from the AESO consultation process.

On November 26, 2009, the Commission issued [Bulletin 2009-30](#) in which the Commission provided its views in response to the comments received and its next steps with respect to consultation regarding AUC Rule 017. More specifically, the Commission identified changes to AUC Rule 017 that are intended to develop a more comprehensive record to be filed by the AESO and, to the extent an objection is filed with respect to an ISO rule, lead to a hearing process that is more efficient and less costly. In addition, the Commission proposes to remove subsection 2(2) of AUC Rule 017, which is informational in nature and need not be part of a Commission rule. Proposed amendments to AUC Rule 017 are attached to this bulletin.

Market participants and interested parties who wish to comment on the proposed changes to AUC Rule 017 are requested to submit written comments on or before **January 18, 2010**. Written comments should be addressed to [darin.lowther@auc.ab.ca](mailto:darin.lowther@auc.ab.ca).

If you have any questions regarding this consultation, please contact John Esaiw at (403) 592-4479 or [john.esaiw@auc.ab.ca](mailto:john.esaiw@auc.ab.ca) or Darin Lowther at (403) 592-4507 or [darin.lowther@auc.ab.ca](mailto:darin.lowther@auc.ab.ca).

*(Original signed by)*

Bob Heggie  
Chief Executive  
Alberta Utilities Commission

ALBERTA UTILITIES COMMISSION

RULE 017

PROCEDURES AND PROCESS FOR DEVELOPMENT OF ISO RULES  
AND FILING OF ISO RULES WITH THE ALBERTA UTILITIES COMMISSION

The Alberta Utilities Commission (AUC/Commission) has approved this rule on February XX,  
2010.

Formatted: Highlight

Deleted: January 2,

Deleted: 08

**Definitions**

1 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 section 20.2 of 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 section 20.6 of the *Electric Utilities Act*;
- (d) "ISO" means the Independent System Operator established under the *Electric Utilities Act*.

Deleted: includes

**Development of ISO Rules**

2 When the ISO determines that a new ISO rule, a change to an existing ISO rule or a removal of an existing ISO rule is needed, the ISO must inform market participants by giving notice, by way of a letter of notice.

Deleted: (1)

**Letter of Notice**

3 A letter of notice must set out:

- (a) the reasons for the new ISO rule, change to the existing ISO rule or removal of the existing ISO rule;
- (b) the manner in which comments will be received; and

Deleted: (2) . A market participant may request a new ISO rule, a change to an existing ISO rule, or a removal of an existing ISO rule and the ISO will determine if the rule, change or removal is needed. ¶

Deleted: an

Deleted: January 2,

Deleted: 8

December 2009,

- (c) the deadline date for comments from market participants which must not be less than 15 days from the date of the letter of notice or if the letter of notice is to be posted on the ISO website on a different date from the date of the letter, the later of the two dates will be used to determine the deadline date for comments.

### Draft ISO Rule

4 If a draft ISO rule has been prepared at the time of a letter of notice, the ISO must attach, to the letter of notice, the draft ISO rule or a summary of the draft ISO rule, 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.

### Posting on ISO Website

5(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) If the date that a letter of notice is posted on the ISO website differs from the date a letter of notice is sent to market participants, the later of the two dates will be used to determine the deadline date for comments.

### Issuance of New Letter

6 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.

### Posting of Comments

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

### Reply to Comments

8 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.

### Contents of Reply

9 The ISO's reply must set out:

- (a) the date on which the draft ISO rule will be filed with the Commission which must be at least 15 days from the date of the issuing of the reply by the ISO;
- (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

Deleted: A

Deleted: January 2,

Deleted: 8

December 2009

2

of filing of the draft ISO rule, in accordance with section 20.4 of 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.

### Posting of Reply

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

Deleted: from the ISO

### Expedited ISO Rule

11(1) Notwithstanding sections 2 to 10, the ISO may make an expedited ISO rule in accordance with section 20.6 of 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 of notice to the market participants that the ISO considers likely to be affected by the expedited ISO rule.

Deleted: sent

Deleted: the

(3) A letter of notice under this section must state:

- (a) an explanation of the need for of an expedited ISO rule;
- (b) if any letters of notice have been previously sent regarding the draft ISO rule which has become an expedited 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) A copy of the expedited ISO rule or a summary of the expedited ISO rule, in the case where the ISO will be requesting the Commission to determine that the disclosure of the expedited ISO rule would not be in the public interest, must be attached to the letter of notice.

### Filing of ISO Rules

12 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.

### Notice of Filing

13 The ISO's notice of filing must set out:

- (a) the specific provision of the enactment under which the draft ISO rule is made, a description of what the draft ISO rule is intended to address and the reasons for the draft ISO rule;

Deleted: January 2,

Deleted: 8

December 2009

(b) the date or dates the letter of notice respecting the draft ISO rule was sent to the market participants and posted on the ISO website;

(c) a summary of any comments received and the name of the market participant or other person who submitted each comment and the date on which each was submitted;

Deleted: b

(d) a summary of the ISO reply and the date of the reply;

Deleted: c

(e) the proposed date for the coming into force of the draft ISO rule;

Deleted: d

(f) the rationale or basis for the position of the ISO that explains why certain positions were rejected and other positions accepted in determining the draft ISO rule; and

(g) 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 that would be made available.

Deleted: e

### Attachments to Notice

14 The ISO must attach to the notice of filing

(a) the draft ISO rule or a summary of the draft ISO rule, 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;

(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 copy of any discussion papers prepared regarding the draft ISO rule and any comments received in response to the discussion papers;

(d) any related written comments, submissions, questions and exchanges between market participants, interested parties and the ISO regarding the draft ISO rule;

(e) the name of the market participant or other person who submitted each comment, submission, question or exchange and the date on which each was submitted;

(f) the reply to each comment, submission, question or exchange prepared by the ISO, market participant or other person regarding the draft ISO rule and the date each was submitted; and

(g) all letters of notice relating to the draft ISO rule.

Deleted: and

Deleted: ¶  
(b) .

Deleted: January 2,

Deleted: 8

December 2009

**Notice of filing of Expedited ISO Rule**

**15** Notwithstanding sections 13 and 14, when the ISO files an expedited ISO rule, the notice of filing must set out an explanation of the need for an expedited ISO rule and the letter of notice regarding the expedited ISO rule.

Deleted: of  
Deleted:

**Attachments to Notice**

- 16** The ISO must attach to a notice of filing of an expedited ISO rule
- (a) the draft expedited ISO rule or a summary of the draft ISO rule, in the case where the ISO will be requesting the Commission to determine that the disclosure of the expedited ISO rule would not be in the public interest; and
  - (b) a copy of a letter of notice relating to the expedited ISO rule.

Deleted: January 2,  
Deleted: 8