



December 5, 2016

Alberta Utilities Commission
Fifth Avenue Place
Fourth Floor, 425 – 1st Street SW
Calgary, AB T2P 3L8

By email

Attention: JP Mousseau
Commission Counsel

Dear Sir:

**Re: Bulletin 2016-19 - Stakeholder consultation on proposed amendments to
AUC Rule 001: Rules of Practice and
Bulletin 2016-20 – Stakeholder feedback regarding enforcement policy and
practices
-- ATCO Electric Response**

In response to Bulletin 2016-19, issued by the Alberta Utilities Commission (the Commission), ATCO Electric and ATCO Gas and Pipelines (collectively, the ATCO Utilities) generally support the reorganization of Rule 001 and the proposed rewording, subject to the following comments:

1. The ATCO Utilities interpret Section 5.1 to include complaints made by an eligible party with respect to ISO rules, in accordance with the Electric Utilities Act (EUA) Section 25(i). If this interpretation is correct then the ATCO Utilities have no concern with the proposed wording of this Section. If the interpretation is incorrect, then clarity should be added as to any other process that would apply to such complaints.
2. In the proposed Section 14, the existing requirement for 10 days notice is removed from the proposed wording. The ATCO Utilities recognize that in some limited circumstances there may be a desire to dispense with the time limitation. For most proceedings, however, the ATCO Utilities view a notice period of less than 10 days to be insufficient.
3. Sections 19 and 43: In Proceeding 20622 Generic Cost of Capital, Exhibit 20622-X0031 addressed, among other things, the practice dubbed 'Hot-Tubbing' of expert witnesses. The ATCO Utilities agree with the submission by the Alberta Utilities (which in Proceeding 20622 included the ATCO Utilities) that:

The Alberta Utilities are not convinced that hot tubbing actually results in increased hearing efficiencies and are concerned that the practice reduces their ability to present their case as they consider best. In addition, hot tubbing may result in a less rigorous testing of the evidence presented by the experts of each of the parties.

This is not to say that the parties would be precluded from finding areas of consensus and if that is the case the parties will no doubt so inform the Commission.

In Proceeding 20622, the Commission responded (20622-X0041) that there would be “no “hot-tubbing” of expert witnesses...”

The ATCO Utilities still hold the same opinion as expressed in 20622-X0031 as quoted above and, therefore, do not agree with the proposed section 43.1. The ATCO Utilities do not, however, object to the opportunity for consensus building as proposed in Section 19.

4. While the ATCO Utilities do generally support the proposal to require a motion to bring additional evidence on the record unexpectedly and out of the established order after the time limit set out for filing has elapsed, the ATCO Utilities request clarification of the proposed wording for Section 31.1. The ATCO Utilities agree that even short schedule extensions must be requested and approved by the Commission. However, requesting a short extension of a scheduled filing deadline for specific scheduled evidence may not warrant the full process to address a Motion. The process steps may result in further delays and suspension of the established schedules as each of the steps outlined in Section 27 are completed.

The ATCO Utilities have no comment on Bulletin 2016-20.

Should you have any questions please do not hesitate to contact the undersigned.

Yours truly,

Original signed by James Grattan

James Grattan, CPA, CA
Director, Regulatory
ATCO Electric Ltd.
Bus: (780) 733-2489

Original signed by Lisa Brennand

Lisa Brennand
Director, Regulatory
ATCO Gas and ATCO Pipelines
Bus: (780) 420-7087