

AUC Rule 017: Stakeholder comment matrix

Please provide comments relating to the subsection of the rule in the corresponding box. If you have proposed language changes, please make the changes under the “proposed changes” column with tracked changes on (they are on by default).

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
		Part 1: General matters	Part 1: General matters		
1	1.1	Definitions The definitions from the <i>Electric Utilities Act</i> apply to these rules.	Definitions The definitions from the <i>Electric Utilities Act</i> apply to these rules.	Capital Power has no comments at this time.	
1	1.2	In these rules: (a) “ISO” means the Independent System Operator. (b) “ISO rule” means a rule made by the ISO under its authority in the <i>Electric Utilities Act</i> that: i. has been approved by the Commission after August 1, 2018; or ii. was made by the ISO before August 1, 2018 and has not been amended or removed on or after August 1, 2018.	In these rules: (a) “ISO” means the Independent System Operator. (b) “ISO rule” means a rule made by the ISO under its authority in the <i>Electric Utilities Act</i> that: i. has been approved by the Commission after August 1, 2018; or ii. was made by the ISO before August 1, 2018 and has not been amended or removed on or after August 1, 2018.	Capital Power has no comments at this time	
		Part 2: Procedures and process for development of proposed rules and application for Commission approval	Part 2: Procedures and process for development of proposed rules and application for Commission approval		
2	2.1	Definitions In this Part: (a) “proposed rule” means a proposed new ISO rule, a proposed amendment to an existing ISO rule, a proposed removal of an existing ISO rule, or a renewal of an existing ISO rule that has a fixed term.	Definitions In this Part: (a) “proposed rule” means a proposed new ISO rule, a proposed amendment to an existing ISO rule, a proposed removal of an existing ISO rule, or a renewal of an existing ISO rule that has a fixed term.	Capital Power believes that a definition for “complete proposal” is required and should be added to this section. See proposed language in subsection 4.1 below.	
3	3.1	Application This Part does not apply to proposed provisional rules or proposed initial rules as those terms are defined in Part 3.	Application This Part does not apply to proposed provisional rules or proposed initial rules as those terms are defined in Part 3.	Capital Power has no comments at this time.	

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4	4.1	<p>Notice for development of proposed rules</p> <p>When the ISO identifies an issue, or receives a complete proposal pursuant to its process under Section 20.81 of the <i>Electric Utilities Act</i>, that, in the opinion of the ISO, may require a proposed rule, the ISO must issue written notice to the Market Surveillance Administrator, market participants, and other interested parties prior to developing a proposed rule and must post the notice on the ISO’s website.</p>	<p>Notice for development of proposed rules</p> <p>When the ISO identifies an issue, or receives a complete proposal pursuant to its process under Section 20.81 of the <i>Electric Utilities Act</i>, that, in the opinion of the ISO, may require a proposed rule, the ISO must issue written notice to the Market Surveillance Administrator, market participants, and other interested parties prior to developing a proposed rule and must post the notice on the ISO’s website.</p>	<p>Capital Power believes that “complete proposal” should be a defined term for the purposes of Rule 017. The definition should specify what qualifies a proposal as complete. Capital Power believes that these criteria should be the minimum information required by the Independent System Operator (the “ISO”) to assess a proposal and decide whether a rule or rule change is required. In this respect, Capital Power proposes the following definition: “complete proposal means a proposal that includes: i) description of a deficiency with an existing or absent ISO rule; and ii) a proposed solution to address the deficiency, including amending language or proposed new language for consideration where possible.”</p>	
4	4.2	<p>If the notice is required because of receipt of a complete proposal received by the ISO pursuant to its process under Section 20.81 of the <i>Electric Utilities Act</i>, the ISO must issue notice within 30 days of receipt of the complete proposal.</p>	<p>If the notice is required because of receipt of a complete proposal received by the ISO pursuant to its process under Section 20.81 of the <i>Electric Utilities Act</i>, the ISO must issue notice within 30<u>60</u> days of receipt of the complete proposal.</p>	<p>Recognizing concerns raised by the Alberta Electric System Operator (“AESO”) in the June 26 Consultation Meeting – regarding ability to manage timing, resources and priorities – Capital Power would be amenable with extending the deadline for Notice in subsection 4.2 up to a maximum of 60 days. To avoid potential confusion on when this window is initiated, Capital Power</p>	

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				<p>recommends adding language to require the ISO to issue a letter to the proponent confirming receipt of a “complete proposal” and specifying the date of receipt.</p>	
4	4.3	<p>The notice must set out:</p> <ul style="list-style-type: none"> (a) the issue that a proposed rule is intended to address; (b) a description of the potential objective or purpose of the proposed rule; (c) the manner in which the Market Surveillance Administrator, market participants, and other interested parties may submit: <ul style="list-style-type: none"> (i) written comments; (ii) a notice of intent to participate in consultation; and (iii) comments on the form of consultation; (d) the deadline date for comments, which must not be less than 15 days from the later of: <ul style="list-style-type: none"> (i) the date the notice is issued to the Market Surveillance Administrator, market participants, and other interested parties; or (ii) the date the notice is issued on the ISO’s website; and (e) where the information set out in subsection 4.4 can be accessed. 	<p>The notice must set out:</p> <ul style="list-style-type: none"> (a) the issue that a proposed rule is intended to address; (b) a description of the potential objective or purpose of the proposed rule; (c) the manner in which the Market Surveillance Administrator, market participants, and other interested parties may submit: <ul style="list-style-type: none"> (i) written comments; (ii) a notice of intent to participate in consultation; and (iii) comments on the form of consultation; (d) the deadline date for comments, which must not be less than 15 days from the later of: <ul style="list-style-type: none"> (i) the date the notice is issued to the Market Surveillance Administrator, market participants, and other interested parties; or (ii) the date the notice is issued on the ISO’s website; and (e) where the information set out in subsection 4.4 can be accessed. 	<p>Capital Power has no comments at this time.</p>	
4	4.4	<p>When the notice is posted on the ISO’s website, the ISO must also post a copy of any material the ISO considers to be relevant that is related to the need for, the development of, removal of, or renewal of the proposed rule.</p>	<p>When the notice is posted on the ISO’s website, the ISO must also post a copy of any material the ISO considers to be relevant that is related to the need for, the development of, removal of, or renewal of the proposed rule, including any relevant analysis it has conducted or commissioned.</p>	<p>Capital Power believes that language should be added to subsection 4.4 specifying that “any material the ISO considers to be relevant” includes any relevant analysis it has conducted or commissioned.</p> <p>As presently drafted, Rule 017 only requires analysis to</p>	

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				<p>be shared by the ISO when it files its rules to the Commission. Capital Power believes that the ISO should seek to complete and share analysis as early as possible in consultation with stakeholders. Data analysis and modelling are useful for stakeholders to understand the magnitude of an issue and its impacts.</p> <p>Capital Power recognizes that to maintain efficiency, the ISO will need to exercise discretion in the level of supporting analysis to be completed and that such analysis will need to be commensurate with the materiality of a proposed rule or change. Use of the word “any” as proposed should allow this discretion.</p>	
4	4.5	None	<p>In the event the ISO decides not to proceed with a proposal received under Section 20.81 of the Electric Utilities Act (“EUA”) the ISO must issue notice on its website describing the proposal and why it was rejected.</p>	<p>Capital Power believes that transparency can be enhanced by adding a requirement to Section 4 for the ISO to issue written notice on its website when it determines that it has rejected a proposal received under Section 20.81 of the Electric Utilities Act (“EUA”).</p>	
5	5.1	<p>Comments</p> <p>The Market Surveillance Administrator, market participants, and interested parties may:</p>	<p>Comments</p> <p>The Market Surveillance Administrator, market participants, and interested parties may:</p>	<p>Capital Power supports allowing market participants to comment on the form of consultation required. To ensure regulatory efficiency and that the level of ISO</p>	

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		(a) provide general written comments to the ISO on the need for, the development of, removal of, or renewal of a proposed rule; (b) submit a notice of intent to participate in consultation with the ISO; and (c) comment on the form of consultation.	(a) provide general written comments to the ISO on the need for, the development of, removal of, or renewal of a proposed rule; (b) submit a notice of intent to participate in consultation with the ISO; and (c) comment on the form of consultation.	consultation is commensurate with the materiality of a proposed rule or amendment, the ISO should have discretion in establishing the level and form of consultation undertaken, with input from stakeholders.	
5	5.2	Within 5 business days of receipt of comments, the ISO must: (a) post all submissions received pursuant to subsection 5.1 on the ISO's website; and (b) provide written notice to the Market Surveillance Administrator, market participants and other interested parties regarding where the information set out in subsection 5.2(a) can be accessed.	Within 5 business days of receipt of comments, the ISO must: (a) post all submissions received pursuant to subsection 5.1 on the ISO's website; and (b) provide written notice to the Market Surveillance Administrator, market participants and other interested parties regarding where the information set out in subsection 5.2(a) can be accessed.	Capital Power has no comments at this time.	
6	6.1	Consultation for development of proposed rules Upon receipt of any notice of intent to participate in consultation, the ISO must: (a) form a consultation group or consultation groups composed of any parties; (i) who submitted a notice of intent to participate in consultation; or (ii) that the ISO thinks may be directly affected by the proposed rule; (b) consult with the consultation group(s) in a manner determined by the ISO to: (i) determine the need for a proposed rule; and (ii) develop a proposed rule if, in the opinion of the ISO a proposed rule is necessary.	Consultation for development of proposed rules Upon receipt of any notice of intent to participate in consultation in response to a notice issued under Section 4 , the ISO must: (a) form a consultation group or consultation groups composed of any parties; (i) who submitted a notice of intent to participate in consultation; or (ii) that the ISO thinks may be directly affected by the proposed rule; (b) consult with the consultation group(s) in a manner determined by the ISO to: (i) determine the need for a proposed rule; and (ii) develop a proposed rule if, in the opinion of the ISO a proposed rule is necessary.	Capital Power proposes additional language for clarity.	
6	6.2	When the ISO undertakes consultation with a consultation group or consultation groups under subsection 6.1, the ISO must provide an opportunity for members of the consultation group(s) to make submissions regarding the information required in subsections 7.2(b) through 7.2(i) of this rule.	When the ISO undertakes consultation with a consultation group or consultation groups under subsection 6.1, the ISO must provide an opportunity for members of the consultation group(s) to make submissions regarding the information required in subsections 7.2(b) through 7.2(i) of this rule.	Capital Power has no comments at this time.	

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6	6.3	<p>Following development of a proposed rule, the ISO must provide written notice to the Market Surveillance Administrator, market participants and other interested parties and solicit comments on the proposed rule by way of a:</p> <p>(a) proposed rule comment matrix; and</p> <p>(b) request for comment on whether the proposed rule is technically deficient.</p>	<p>Following development of a proposed rule, the ISO must provide written notice to the Market Surveillance Administrator, market participants and other interested parties and solicit comments on the proposed rule by way of a:</p> <p>(a) proposed rule comment matrix; and</p> <p>(b) request for comment on whether the proposed rule is technically deficient.</p>	Capital Power has no comments at this time.	
6	6.4	<p>The notice required by subsection 6.3 must:</p> <p>(a) be posted on the ISO's website;</p> <p>(b) include the information required by subsection 4.3, excluding the requirement in subsection 4.3(c)(ii) and 4.3(c)(iii); and</p> <p>(c) include the information required by subsection 4.4.</p>	<p>The notice required by subsection 6.3 must:</p> <p>(a) be posted on the ISO's website;</p> <p>(b) include the information required by subsection 4.3, excluding the requirement in subsection 4.3(c)(ii) and 4.3(c)(iii); and</p> <p>(c) include the information required by subsection 4.4.</p>	Capital Power has no comments at this time.	
6	6.5	<p>Within 5 business days of receipt of comments received pursuant to subsection 6.3, the ISO must:</p> <p>(a) post all submissions on the ISO's website; and</p> <p>(b) provide written notice to the Market Surveillance Administrator, market participants and other interested parties regarding where the submissions referred to in subsection 6.5(a) can be accessed.</p>	<p>Within 5 business days of receipt of comments received pursuant to subsection 6.3, the ISO must:</p> <p>(a) post all submissions on the ISO's website; and</p> <p>(b) provide written notice to the Market Surveillance Administrator, market participants and other interested parties regarding where the submissions referred to in subsection 6.5(a) can be accessed.</p>	Capital Power has no comments at this time.	
6	6.6	None	<p><u>The ISO must consider comments received pursuant to subsection 6.3 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.</u></p>	<p>Capital Power believes that Rule 017 should include an obligation for the ISO to post replies to stakeholder comments and alternatives.</p> <p>Specifically, the ISO should be required to respond to questions and requests for clarification submitted by stakeholders in rule comment matrices. Capital Power believes that the requirement to respond to comments and post replies publicly is a critical element</p>	

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				of the existing Rule 017 that must be retained. Such a provision ensures transparency and will improve regulatory efficiency by facilitating the potential resolution of issues prior to adjudication and providing all parties with an understanding of the ISO's views and rationale.	
6	6.7 6	After consulting under Section 6, the ISO may proceed to make an application to the Commission under Section 7.	After consulting under Section 6, the ISO may proceed to make an application to the Commission under Section 7.	Capital Power has changed the subsection numbering to align with proposed new subsection above.	
7	7.1	Application for Commission approval of proposed rules The ISO must apply to the Commission for approval of a proposed rule.	Application for Commission approval of proposed rules The ISO must apply to the Commission for approval of a proposed rule.	Capital Power has no comments at this time.	
7	7.2	Subject to subsection 7.3, an application for approval of a proposed rule must include the following information: (a) a description of the consultation process that was undertaken by the ISO including a list of parties who participated and copies of any submissions made by parties under subsections 6.2 and 6.3; (b) an explanation of whether the proposed rule relates to the capacity market and why; (c) if the proposed rule relates to the capacity market, an explanation of whether or not the proposed rule will be in effect for a fixed term and why; (d) a description of the objective or purpose of the proposed rule; (e) a copy of any analysis conducted or commissioned by the ISO supporting the proposed rule, with a description of assumptions and methodology; (f) an explanation of why the proposed rule, taken together with all ISO rules and in light of the principle of a fair,	Subject to subsection 7.3, an application for approval of a proposed rule must include the following information: (a) a description of the consultation process that was undertaken by the ISO including a list of parties who participated and copies of any submissions made by parties under subsections 6.2 and 6.3; (b) an explanation of whether <u>and how</u> the proposed rule relates to <u>and impacts the energy market, the capacity market, and/or the ancillary services market</u> why; (c) if the proposed rule relates to the capacity market, an explanation of whether or not the proposed rule will be in effect for a fixed term and why; (d) a description of the objective or purpose of the proposed rule; (e) a copy of any analysis conducted or commissioned by the ISO supporting the proposed rule, with a description of assumptions, <u>and methodology, and non-commercially sensitive data</u> ; (f) an explanation of why the proposed rule, taken together	With respect to subsection 7.2 (b), Capital Power recognizes that the Commission would like to understand whether or not a proposed rule relates to the capacity market and why because of the new criteria proposed for approving rules related to the capacity market under Bill 13. Capital Power believes that it is equally important to understand how a rule relates to and impacts the electricity market as a whole, which includes the forward capacity market, the real-time energy market, and the ancillary services market. These markets are being designed and will ultimately	

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		<p>efficient and openly competitive market, was proposed;</p> <p>(g) a description of any alternatives that were explored during consultation and an explanation as to why they were rejected;</p> <p>(h) if the rule relates to the capacity market, a description of how the proposed rule supports ensuring a reliable supply of electricity at a reasonable cost to customers; and</p> <p>(i) an explanation of how the proposed rule supports the public interest.</p>	<p>with all ISO rules and in light of the principle of a fair, efficient and openly competitive market, was proposed;</p> <p>(g) a description of any alternatives that were explored during consultation and an explanation as to why they were rejected;</p> <p>(h) if the rule relates to the capacity market, a description of how the proposed rule supports ensuring a reliable supply of electricity at a reasonable cost to customers; and</p> <p><u>(i) an explanation of how the proposed rule supports the public interest; and-</u></p> <p><u>(j) a description of how the proposed rule is not technically deficient.</u></p>	<p>function in a highly interrelated manner. It is, therefore, imperative that the Commission continue to consider market rules within the context of all three markets. While each market operates with distinct characteristics, they must work together to achieve the goals of legislation. Ignoring this interrelation in the consideration of market rules creates an unnecessary separation that could lead to major unintended consequences.</p> <p>Changes have been proposed to subsection 7.2 (b) that resolve this issue.</p> <p>Changes have been proposed to subsection 7.2 (e) to add non-commercially sensitive data.</p> <p>A new subsection, 7.2 (j), has been added to align with legislation.</p>	
7	7.3	In the event that any of the information set out in subsection 7.2 is not included in the application, the ISO must provide an explanation for not doing so.	In the event that any of the information set out in subsection 7.2 is not included in the application, the ISO must provide an explanation for not doing so.	Capital Power has no comments at this time.	
		Part 3: Procedures and process for development of proposed provisional rules and proposed initial rules and application for Commission approval	Part 3: Procedures and process for development of proposed provisional rules and proposed initial rules and application for Commission approval		
8	8.1	<p>Definitions</p> <p>In this Part:</p> <p>(a) “proposed initial rule” means a proposed new ISO rule, a proposed amendment to an existing ISO rule, a proposed removal of an existing ISO rule, or a renewal of an existing</p>	<p>Definitions</p> <p>In this Part:</p> <p>(a) “proposed initial rule” means a proposed new ISO rule, a proposed amendment to an existing ISO rule, a proposed removal of an existing ISO rule, or a renewal of an existing</p>	Capital Power understands that the distinction between “proposed initial rule” and “proposed provisional rule” arises from the drafting language of Bill 13. It	

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		<p>ISO rule that has a fixed term that:</p> <ul style="list-style-type: none"> (i) has received provisional approval from the Commission under Section 20.22 of the <i>Electric Utilities Act</i>; or (ii) has not received provisional approval from the Commission under Section 20.22 of the <i>Electric Utilities Act</i> and was: <ul style="list-style-type: none"> 1. directed by the Commission to be considered under Section 20.22 of the <i>Electric Utilities Act</i> pursuant to Section 20.22(4)(c) of the <i>Electric Utilities Act</i>; or 2. developed by the ISO pursuant to Section 41.42(1) of the <i>Electric Utilities Act</i>. <p>(b) “proposed provisional rule” means a proposed new ISO rule, a proposed amendment to an existing ISO rule, or a proposed removal of an existing ISO rule that is developed by the ISO pursuant to Section 41.42(3) of the <i>Electric Utilities Act</i>.</p>	<p>ISO rule that has a fixed term that:</p> <ul style="list-style-type: none"> (i) has received provisional approval from the Commission under Section 20.22 of the <i>Electric Utilities Act</i>; or (ii) has not received provisional approval from the Commission under Section 20.22 of the <i>Electric Utilities Act</i> and was: <ul style="list-style-type: none"> 1. directed by the Commission to be considered under Section 20.22 of the <i>Electric Utilities Act</i> pursuant to Section 20.22(4)(c) of the <i>Electric Utilities Act</i>; or 2. developed by the ISO pursuant to Section 41.42(1) of the <i>Electric Utilities Act</i>. <p>(b) “proposed provisional rule” means a proposed new ISO rule, a proposed amendment to an existing ISO rule, or a proposed removal of an existing ISO rule that is developed by the ISO pursuant to Section 41.42(3) of the <i>Electric Utilities Act</i>.</p>	<p>remains unclear to Capital Power, however, why such a distinction is necessary for the purposes of Rule 017. Please clarify and explain how Part 3 applies differently to a “proposed initial rule” versus a “proposed provisional rule” and why.</p>	
9	9.1	<p>Application</p> <p>This Part expires on the date the Commission issues a decision under Section 20.23 of the <i>Electric Utilities Act</i>.</p>	<p>Application</p> <p>This Part expires on the date the Commission issues a decision under Section 20.23 of the <i>Electric Utilities Act</i>.</p>	<p>Capital Power has no comments at this time.</p>	
10	10.1	<p>Notice for development of proposed provisional rules</p> <p>When the ISO develops or intends to develop a proposed provisional rule, the ISO must issue written notice to the Market Surveillance Administrator, market participants, and other interested parties prior to developing a proposed provisional rule and must post the notice on the ISO’s website.</p>	<p>Notice for development of proposed provisional rules</p> <p>When the ISO develops or intends to develop a proposed provisional rule, the ISO must issue written notice to the Market Surveillance Administrator, market participants, and other interested parties prior to developing a proposed provisional rule and must post the notice on the ISO’s website.</p>	<p>Capital Power has no comments at this time.</p>	
10	10.2	<p>The notice must set out:</p> <ul style="list-style-type: none"> (a) the issue that a proposed provisional rule is intended to address; (b) a description of the potential objective or purpose of the proposed provisional rule; (c) the manner in which the Market Surveillance Administrator, market participants, and other interested parties may submit: <ul style="list-style-type: none"> (i) written comments; 	<p>The notice must set out:</p> <ul style="list-style-type: none"> (a) the issue that a proposed provisional rule is intended to address; (b) a description of the potential objective or purpose of the proposed provisional rule; (c) the manner in which the Market Surveillance Administrator, market participants, and other interested parties may submit: <ul style="list-style-type: none"> (i) written comments; 	<p>Capital Power has no comments at this time.</p>	

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		(ii) a notice of intent to participate in consultation; and (iii) comment on the form of consultation; (d) the deadline date for comments which must not be less than 15 days from the later of: (i) the date the notice is issued to the Market Surveillance Administrator, market participants, and other interested parties; or (ii) the date the notice is issued on the ISO's website; and (e) where the information outlined in subsection 10.3 can be accessed.	(ii) a notice of intent to participate in consultation; and (iii) comment on the form of consultation; (d) the deadline date for comments which must not be less than 15 days from the later of: (i) the date the notice is issued to the Market Surveillance Administrator, market participants, and other interested parties; or (ii) the date the notice is issued on the ISO's website; and (e) where the information outlined in subsection 10.3 can be accessed.		
10	10.3	When the notice is posted on the ISO's website, the ISO must also post a copy of any material the ISO considers to be relevant that is related to the need for, the development of, or removal of the proposed provisional rule.	When the notice is posted on the ISO's website, the ISO must also post a copy of any material the ISO considers to be relevant that is related to the need for, the development of, or removal of the proposed provisional rule, <u>including any relevant analysis it has conducted or commissioned.</u>	Capital Power believes that language should be added to subsection 10.3 specifying that "any material the ISO considers to be relevant" includes any relevant analysis it has conducted or commissioned. As presently drafted, Rule 017 only requires analysis to be shared by the ISO when it files its rules to the Commission. Capital Power believes that the ISO should seek to complete and share analysis as early as possible in consultation with stakeholders. Data analysis and modelling are useful for stakeholders to understand the magnitude of an issue and its impacts. Capital Power recognizes that to maintain efficiency, the ISO will need to exercise discretion in the level of supporting analysis to be completed and that such	

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				analysis will need to be commensurate with the materiality of a proposed rule or change. Use of the word “any” as proposed should allow this discretion.	
11	11.1	<p>Comments</p> <p>The Market Surveillance Administrator, market participants, and interested parties may:</p> <ul style="list-style-type: none"> (a) provide general written comments to the ISO on the need for a proposed provisional rule; (b) submit a request to participate in consultation with the ISO; and (c) comment on the form of consultation. 	<p>Comments</p> <p>The Market Surveillance Administrator, market participants, and interested parties may:</p> <ul style="list-style-type: none"> (a) provide general written comments to the ISO on the need for a proposed provisional rule; (b) submit a request to participate in consultation with the ISO; and (c) comment on the form of consultation. 	Capital Power supports allowing market participants to comment on the form of consultation required. To ensure regulatory efficiency and that the level of ISO consultation is commensurate with the materiality of a proposed rule or amendment, the ISO should have discretion in establishing the level and form of consultation undertaken, with input from stakeholders.	
11	11.2	<p>Within 5 business days of receipt of comments, the ISO must:</p> <ul style="list-style-type: none"> (a) post all submissions received pursuant to subsection 11.1 on the ISO’s website; and (b) provide written notice to the Market Surveillance Administrator, market participants and other interested parties regarding where the information set out in subsection 11.2(a) can be accessed. 	<p>Within 5 business days of receipt of comments, the ISO must:</p> <ul style="list-style-type: none"> (a) post all submissions received pursuant to subsection 11.1 on the ISO’s website; and (b) provide written notice to the Market Surveillance Administrator, market participants and other interested parties regarding where the information set out in subsection 11.2(a) can be accessed. 	Capital Power has no comments at this time	
12	12.1	<p>Consultation on proposed provisional rules</p> <p>Upon receipt of any notice of intent to participate in consultation, the ISO must:</p> <ul style="list-style-type: none"> (a) form a consultation group or consultation groups composed of any parties: <ul style="list-style-type: none"> (i) who submitted a request to participate in consultation; or (ii) that the ISO thinks may be directly affected by the 	<p>Consultation on proposed provisional rules</p> <p>Upon receipt of any notice of intent to participate in consultation in response to a notice issued under Section 10, the ISO must:</p> <ul style="list-style-type: none"> (a) form a consultation group or consultation groups composed of any parties: <ul style="list-style-type: none"> (i) who submitted a request to participate in consultation; or (ii) that the ISO thinks may be directly affected by the 	Capital Power proposes additional language for clarity.	

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		<p>proposed provisional rule;</p> <p>(iii) consult with the consultation group(s) in a manner determined by the ISO to further develop the proposed provisional rule.</p>	<p>proposed provisional rule;</p> <p>(iii) consult with the consultation group(s) in a manner determined by the ISO to further develop the proposed provisional rule.</p>		
12	12.2	When the ISO undertakes consultation with a consultation group or consultation groups under subsection 12.1, the ISO must provide an opportunity for members of the consultation group(s) to make submissions regarding the information required in subsections 13.2(b) through 13.2(j) of this rule.	When the ISO undertakes consultation with a consultation group or consultation groups under subsection 12.1, the ISO must provide an opportunity for members of the consultation group(s) to make submissions regarding the information required in subsections 13.2(b) through 13.2(j) of this rule.	Capital Power has no comments at this time	
12	12.3	<p>Following development of a proposed provisional rule, the ISO must provide written notice to the Market Surveillance Administrator, market participants and other interested parties and solicit comments on the proposed provisional rule by way of a:</p> <p>(a) proposed provisional rule comment matrix; and</p> <p>(b) request for comment on whether the proposed provisional rule is technically deficient.</p>	<p>Following development of a proposed provisional rule, the ISO must provide written notice to the Market Surveillance Administrator, market participants and other interested parties and solicit comments on the proposed provisional rule by way of a:</p> <p>(a) proposed provisional rule comment matrix; and</p> <p>(b) request for comment on whether the proposed provisional rule is technically deficient.</p>	Capital Power has no comments at this time	
12	12.4	<p>The notice required by subsection 12.3 must:</p> <p>(a) be posted on the ISO's website;</p> <p>(b) include the information required by subsection 10.3, excluding the requirement in subsection 10.3(c)(ii) and 10.3(c)(iii); and</p> <p>(c) include the information required by subsection 10.4.</p>	<p>The notice required by subsection 12.3 must:</p> <p>(a) be posted on the ISO's website;</p> <p>(b) include the information required by subsection 10.3, excluding the requirement in subsection 10.3(c)(ii) and 10.3(c)(iii); and</p> <p>(c) include the information required by subsection 10.4.</p>	Capital Power has no comments at this time	
12	12.5	<p>Within 5 business days of receipt of comments received pursuant to subsection 12.3, the ISO must:</p> <p>(a) post all submissions on the ISO's website; and</p> <p>(b) provide written notice to the Market Surveillance Administrator, market participants and other interested parties regarding where the submissions referred to in subsection 12.5(a) can be accessed.</p>	<p>Within 5 business days of receipt of comments received pursuant to subsection 12.3, the ISO must:</p> <p>(a) post all submissions on the ISO's website; and</p> <p>(b) provide written notice to the Market Surveillance Administrator, market participants and other interested parties regarding where the submissions referred to in subsection 12.5(a) can be accessed.</p>	Capital Power has no comments at this time	
12	12.6	None	The ISO must consider comments received pursuant to subsection 12.3 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.	Capital Power believes that Rule 017 should include an obligation for the ISO to post	

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
				<p>replies to stakeholder comments and alternatives.</p> <p>Specifically, the ISO should be required to respond to questions and requests for clarification submitted by stakeholders in rule comment matrices. Capital Power believes that the requirement to respond to comments and post replies publicly is a critical element of the existing Rule 017 that must be retained. Such a provision ensures transparency and will improve regulatory efficiency by facilitating the potential resolution of issues prior to adjudication and providing all parties with an understanding of the ISO's views and rationale.</p>	
12	12.76	After consulting with the working group(s), the ISO may proceed to make an application to the Commission under Section 13.	After consulting with the working group(s), the ISO may proceed to make an application to the Commission under Section 13.	Changed subsection numbering to align with proposed new subsection above.	
13	13.1	<p>Application for Commission approval of proposed provisional rules and proposed initial rules</p> <p>The ISO must apply to the Commission for approval of a proposed provisional rule and a proposed initial rule.</p>	<p>Application for Commission approval of proposed provisional rules and proposed initial rules</p> <p>The ISO must apply to the Commission for approval of a proposed provisional rule and a proposed initial rule.</p>	Capital Power has no comments at this time.	
13	13.2	<p>An application for approval of a proposed provisional rule or a proposed initial rule must include the following information:</p> <p>(a) A description of the consultation process that was undertaken by the ISO including a list of parties who participated and copies of any submissions made by parties under subsections 12.2 and 12.3, if applicable;</p> <p>(b) An explanation of whether the proposed provisional rule or</p>	<p>An application for approval of a proposed provisional rule or a proposed initial rule must include the following information:</p> <p>(a) A description of the consultation process that was undertaken by the ISO including a list of parties who participated and copies of any submissions made by parties under subsections 12.2 and 12.3, if applicable;</p> <p>(b) An explanation of whether <u>and how</u> the proposed</p>	With respect to subsection 13.2 (b), Capital Power recognizes that the Commission would like to understand whether or not a proposed rule relates to the capacity market and why because of the new criteria	

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
		<p>proposed initial rule relates to the capacity market and why;</p> <p>(c) If the proposed provisional rule or proposed initial rule relates to the capacity market, an explanation of whether or not the rule will be in effect for a fixed term and why;</p> <p>(d) A description of the objective or purpose of the proposed provisional rule or proposed initial rule;</p> <p>(e) A copy of any analysis conducted or commissioned by the ISO supporting the proposed provisional rule or proposed initial rule, with a description of assumptions and methodology;</p> <p>(f) An explanation of why the proposed provisional rule or proposed initial rule, taken together with all ISO rules and in light of the principle of a fair, efficient and openly competitive market, was proposed;</p> <p>(g) A description of any alternatives that were explored during consultation and an explanation as to why they were rejected;</p> <p>(h) If the rule relates to the capacity market, a description of how the proposed provisional rule or proposed initial rule supports ensuring a reliable supply of electricity at a reasonable cost to customers;</p> <p>(i) An explanation of how the proposed provisional rule or proposed initial rule supports the public interest; and</p> <p>(j) For an application for approval of a proposed provisional rule, the ISO's targeted capacity procurement volumes for the first two capacity market auctions.</p>	<p>provisional rule or proposed initial rule relates to <u>and impacts the energy market, the capacity market, and/or the ancillary services market</u> why;</p> <p>(c) If the proposed provisional rule or proposed initial rule relates to the capacity market, an explanation of whether or not the rule will be in effect for a fixed term and why;</p> <p>(d) A description of the objective or purpose of the proposed provisional rule or proposed initial rule;</p> <p>(e) A copy of any analysis conducted or commissioned by the ISO supporting the proposed provisional rule or proposed initial rule, with a description of assumptions, <u>and methodology, and non-commercially sensitive data</u>;</p> <p>(f) An explanation of why the proposed provisional rule or proposed initial rule, taken together with all ISO rules and in light of the principle of a fair, efficient and openly competitive market, was proposed;</p> <p>(g) A description of any alternatives that were explored during consultation and an explanation as to why they were rejected;</p> <p>(h) If the rule relates to the capacity market, a description of how the proposed provisional rule or proposed initial rule supports ensuring a reliable supply of electricity at a reasonable cost to customers;</p> <p><u>(i) An explanation of how the proposed provisional rule or proposed initial rule supports the public interest; and</u></p> <p><u>(j) a description of how the proposed rule is not technically deficient; and</u></p> <p><u>(k) For an application for approval of a proposed provisional rule, the ISO's targeted capacity procurement volumes for the first two capacity market auctions.</u></p>	<p>proposed for approving rules related to the capacity market under Bill 13. Capital Power believes that it is equally important to understand how a rule relates to and impacts the electricity market as a whole, which includes the forward capacity market, the real-time energy market, and the ancillary services market. These markets are being designed and will ultimately function in a highly interrelated manner. It is, therefore, imperative that the Commission continue to consider market rules within the context of all three markets. While each market operates with distinct characteristics, they must work together to achieve the goals of legislation. Ignoring this interrelation in the consideration of market rules creates an unnecessary separation that could lead to major unintended consequences.</p> <p>Changes have been proposed to subsection 13.2 (b) that resolve this issue.</p> <p>Changes have been proposed to subsection 13.2 (e) to add non-commercially sensitive data.</p> <p>A new subsection, 13.2 (j), has been added to align with legislation.</p>	

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
13	13.3	The Commission may establish additional application requirements for proposed provisional rules and proposed initial rules.	The Commission may establish additional application requirements for proposed provisional rules and proposed initial rules.	Capital Power has no comments at this time.	
14	14.1	Notice and consultation for proposed initial rules Following the Commission’s order under Section 20.22(4) of the <i>Electric Utilities Act</i> (the “provisional decision”), for proposed initial rules that were not developed pursuant to Section 41.42(1) of the <i>Electric Utilities Act</i> , the ISO must provide notice and conduct any additional consultation, if any, in the manner directed by the Commission in the provisional decision within the timeframe directed by the Commission.	Notice and consultation for proposed initial rules Following the Commission’s order under Section 20.22(4) of the <i>Electric Utilities Act</i> (the “provisional decision”), for proposed initial rules that were not developed pursuant to Section 41.42(1) of the <i>Electric Utilities Act</i> , the ISO must provide notice and conduct any additional consultation, if any, in the manner directed by the Commission in the provisional decision within the timeframe directed by the Commission.	Capital Power has no comments at this time.	
14	14.2	When the ISO identifies an issue, or receives a complete proposal under Section 20.81 of the <i>Electric Utilities Act</i> , that, in the opinion of the ISO, may require a proposed initial rule to be developed pursuant to Section 41.42(1) of the <i>Electric Utilities Act</i> , the ISO must provide notice and consult in the manner required by sections 10 through 12.	When the ISO identifies an issue, or receives a complete proposal under Section 20.81 of the <i>Electric Utilities Act</i> , that, in the opinion of the ISO, may require a proposed initial rule to be developed pursuant to Section 41.42(1) of the <i>Electric Utilities Act</i> , the ISO must provide notice and consult in the manner required by sections 10 through 12.	Capital Power has no comments at this time.	
		Part 4: Application for Commission approval of expedited rules	Part 4: Application for Commission approval of expedited rules		
15	15.1	Definitions In this Part: (a) “expedited ISO rule” means a proposed rule for which the Commission has approved expedited implementation under Section 20.6 of the <i>Electric Utilities Act</i> . (b) “proposed rule” has the meaning given to it in Part 2 of this rule.	Definitions In this Part: (a) “expedited ISO rule” means a proposed rule for which the Commission has approved expedited implementation under Section 20.6 of the <i>Electric Utilities Act</i> . (b) “proposed rule” has the meaning given to it in Part 2 of this rule.	Capital Power has no comments at this time.	
16	16.1	Application Subject to subsection 17.2, Part 2 of this rule does not apply to: (a) applications for expedited implementation of proposed rules; or (b) expedited rules.	Application Subject to subsection 17.2, Part 2 of this rule does not apply to: (a) applications for expedited implementation of proposed rules; or (b) expedited rules.	Capital Power has no comments at this time.	
17	17.1	Expedited rule applications The ISO must apply for Commission approval for expedited implementation of a proposed rule.	Expedited rule applications The ISO must apply for Commission approval for expedited implementation of a proposed rule.	Capital Power has no comments at this time.	

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
17	17.2	When the ISO makes an application to the Commission for expedited implementation of a proposed rule, it must provide written notice to the Market Surveillance Administrator, market participants and other interested parties in the manner set out in subsection 4.3(a) and (b) and includes the information required by subsection 4.4, if any.	<u>As soon as the ISO has determined that</u> When the ISO makes an application to the Commission for expedited implementation of a proposed rule <u>is necessary</u> , it must provide written notice to the Market Surveillance Administrator, market participants and other interested parties in the manner set out in subsection 4.3(a) and (b) and includes the information required by subsection 4.4, if any.	Capital Power believes that the ISO should be required to issue notice to the market of a forthcoming expedited rule as soon as it has determined that one is necessary. This timing may not always align with the ISO's filing of an application with the Commission. The proposed changes address this issue.	
17	17.3	An application for Commission approval for expedited implementation of a proposed rule must include: (a) a copy of the proposed rule for which expedited implementation is sought; and (b) a description of: (i) the urgent risk to the reliable supply of electricity, if any; (ii) the urgent risk to the safe and reliable operation of the interconnected electric system, if any; or (iii) the reason for requesting expedited implementation of the proposed rule if it does not fall within (i) or (ii).	An application for Commission approval for expedited implementation of a proposed rule must include: (a) a copy of the proposed rule for which expedited implementation is sought; and (b) a description of: (i) the urgent risk to the reliable supply of electricity, if any; (ii) the urgent risk to the safe and reliable operation of the interconnected electric system, if any; or (iii) the reason for requesting expedited implementation of the proposed rule if it does not fall within (i) or (ii).	Capital Power has no comments at this time.	
17	17.4	If the Commission approves expedited implementation of a proposed rule, the ISO must post the expedited ISO rule on the ISO's website on the day upon which the expedited implementation is approved by the Commission.	If the Commission approves expedited implementation of a proposed rule, the ISO must post the expedited ISO rule on the ISO's website on the day upon which the expedited implementation is approved by the Commission.	Capital Power has no comments at this time.	
17	<u>17.5</u>	None	<u>Once approved by the Commission, an expedited rule is subject to the requirements of Part 2.</u>	Capital Power has proposed a new subsection to ensure that expedited rule filings are ultimately subject to meaningful ISO consultation and full AUC approval.	

General category	General stakeholder comments	AUC staff response	Section of Rule 017
<p>Removal of Section 13 - Reliance on completed consultation</p>	<p>Capital Power understands from the June 26 Consultation Meeting that by removing Section 13, it was not the Commission's intention to eliminate the ISO's ability to rely on completed capacity market-related consultation in the provisional approval hearing, but rather to reflect that the ISO is still required to consult on the draft rules before filing them with the Commission.</p> <p>Capital Power supports this change subject to confirmation from the Commission that the significant stakeholder consultation that has been undertaken by the AESO with respect to the capacity market design since June 2017 will be given due consideration by the Commission during the provisional rule approval process. Such an approach is necessary to ensure an effectively scoped provisional rule approval proceeding and timely approval of the provisional rules for the first two capacity auctions.</p>		<p>Section 13, Rule 017, Draft 1</p>