

AUC Rule 017 stakeholder comment summary

Stakeholder comments: Alberta Electric System Operator (AESO), AltaLink Management Ltd. (AltaLink), ATCO Electricity Generation (ATCO), Canadian Solar Industries Association (CanSIA), Capital Power Corporation (Capital Power), Cogeneration Working Group¹ represented by Power Advisory (CWG), ENMAX Energy Corporation (ENMAX), EPCOR Energy Alberta GP Inc. (EPCOR), Industrial Power Consumers Association of Alberta (IPCAA), Independent Power Producers Society of Alberta (IPPSA), TransAlta Corporation (TransAlta), TransCanada Energy (TCE), Utilities Consumer Advocate (UCA)

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.		AUC staff will provide its response to stakeholder comments with the release of the final AUC Rule 017.
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.		
		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		

¹ The CWG is comprised of TransCanada, Suncor, Cenovus, Canadian Natural Resources Limited, Dow, Imperial Oil, MEG Energy, Husky, Nova Chemicals Corporation, Syncrude, Lafarge, and InterPipeline.

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
2	2.1	<p>Definitions</p> <p>In this Part:</p> <p>(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.</p>	<p>Definitions</p> <p>In this Part:</p> <p>(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.</p>	<p>Capital Power: Definition for “complete proposal” is required and should be added.</p> <p>Suggests: <i>means a proposal that includes:</i> <i>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.</i></p>	
3	3.1	<p>Application</p> <p>This Part does not apply to proposed provisional rules or proposed initial rules as those terms are defined in Part 3.</p>	<p>Application</p> <p>This Part does not apply to proposed provisional rules or proposed initial rules as those terms are defined in Part 3.</p>		
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>AESO: Disagrees with posting a notice when it identifies an issue that <i>may</i> require a proposed rule. States that the <i>Electric Utilities Act</i> gives the AESO discretion to make ISO rules and establish a process under 20.81 for market participant proposals. It should be the AESO that determines that an ISO rule is required to be developed which will help it maintain control over prioritization of work, resourcing and budget. Having a large number of rules “in flight” could stall ISO rules that need to proceed forward. The AESO has proposed language to section 4.1 so that notice is given only for ISO rules that need to move forward.</p> <p>ATCO: Proposes to remove “complete” regarding proposals made under 20.81. Believes this is overly burdensome as it could be interpreted to mean a market participant must submit all information required under</p>	

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				<p>section 7.2 in an application to the Commission. A proposal would only be complete after a consultation has been conducted. Further, the AESO should be required to provide written notice if it receives a proposal that it dismisses to ensure appropriate feedback is provided.</p> <p>Capital Power: What qualifies a complete proposal should be defined and these criteria should be the minimum information required by the AESO to assess the proposal and decide whether a rule or rule change is required.</p> <p>CWG: Concerned that the process lacks transparency. At a minimum, “the AESO should be required to establish and maintain a webpage where all the proposals received pursuant to Section 20.81 are posted”. Ideally, AESO will respond to each proposal with rationale as to why an issue may be immaterial. Suggest that Commission should reopen Rule 17 process after Section 20.81 process for further feedback on requirements.</p> <p>Specific language to implement above comments included for this section.</p> <p>EPCOR: Requirement for proposals under Section 20.81 are overly burdensome and suggests removing “complete”. Stated it is unclear who determines completeness and what the standard is, it may not be possible for a proposal to be “complete” without all available</p>	

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				<p>information from the AESO, and it may be prohibitively costly to develop a complete proposal.</p> <p>TCE: If AESO process pursuant to EUA Section 20.81 does not require the AESO to notify the market of rule proposal submissions and status and provide rationale for rejection of alternatives, AUC Rule 017 should include this.</p> <p>TransAlta: Propose the following language: “When the ISO identifies an issue, or receives a reasonably adequate proposal pursuant to its process under Section 20.81 of the <i>Electric Utilities Act</i>, which is sufficient to enable the ISO to consider the development of a proposed rule...” (rest as written). Requiring a complete proposal is too burdensome, may deter effective consultation.</p> <p>Proposed language will improve regulatory and market efficiency.</p>	
4	4.2	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.	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>AESO: The test for moving into Rule 017 consultation should be independent of the AESO’s receipt of a Section 20.81 proposal. The AESO would support the publication of a notice within 30 days of its determination that a proposal warrants the advancement of a proposed ISO rule at the time and has suggested language to reflect this.</p> <p>ATCO: Proposes to remove “complete” from this section.</p> <p>Capital Power: Recognizing concerns raised by the AESO,</p>	

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				suggest changing 30 days to 60 days. Recommends adding language requiring the AESO to issue a letter confirming receipt of a complete proposal and specifying the date of receipt to initiate the 60 day window.	
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>AESO: Suggests that a 15 day comment period may be longer than necessary, particularly on administrative rule changes/proposals and suggests a minimum 5 business day comment period for increased flexibility and efficiencies where possible. The AESO acknowledged that more substantive rule changes will necessitate longer comment period.</p> <p>TransAlta: Suggest language change for part (c) to include the manner in which parties will have the opportunity to provide meaningful input to proposed ISO rules.</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.</p>	<p>AESO: Suggested changing "...any material the ISO considers to be relevant..." to "...any data, analyses, or other material that the ISO considers to be relevant..."</p> <p>ATCO: AESO should be required to provide analysis it has conducted regarding the proposed rule and any underlying data, assumptions or methodology. Providing this</p>	

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				<p>information early allows stakeholders more ability to conduct their own analysis and provide substantive input into the process ahead of an AUC proceeding.</p> <p>Capital Power: Add language to specify that “any material the ISO considers relevant” to include any relevant analysis it has conducted or commissioned. Believe the AESO should seek to share analysis as early as possible in consultation with stakeholders.</p> <p>Further recommends a new section 4.5 requiring the AESO to post notice describing a rejected proposal under section 20.81, including why it was rejected.</p> <p>ENMAX: Proposes to replace “the ISO considers to be relevant” with “including any data and analysis”. Stated this is designed to enhance transparency and make consultation more effective. The change removes the subjectivity about what the AESO must disclose.</p> <p>IPPSA: AESO should provide analysis that it has conducted or commissioned supporting the proposed rule, with a description of the assumptions and methodology, including data so that stakeholders can understand the issue that is trying to be resolved with a rule.</p> <p>TransAlta: Proposed specific language requiring the AESO to share all data and analysis related to the need for the development of a proposed rule</p>	

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				to ensure transparency and meaningful stakeholder contribution.	
5	5.1	<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, 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. 	<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, 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. 	<p>AESO: No issues, provided that the AESO maintains discretion and control over conducting the consultation process and does not need to accept alternative methods just because they are suggested by stakeholders.</p> <p>Capital Power: Supports market participants commenting on the form of consultation and the ISO having the ability to have discretion in establishing the level and form of consultation.</p>	
5	5.2	<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 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. 	<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 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. 	<p>CWG: Support this addition. AESO should be required to publicly post all responses to comments.</p> <p>IPCAA: AESO should respond to comments rather than just posting that comments were submitted.</p>	
6	6.1	<p>Consultation for development of proposed 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 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: <ul style="list-style-type: none"> (i) determine the need for a proposed rule; and 	<p>Consultation for development of proposed 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 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: <ul style="list-style-type: none"> (i) determine the need for a proposed rule; and 	<p>AESO: Consultation on ISO rules is not a one-size fits all approach and not all ISO rules require the same level of consultation. Written process may be sufficient for some rules. Suggests changing "consultation group" to "engagement group" throughout Rule 017. Propose to remove subsection (b)(i) as the AESO will have already assessed the need for a proposed rule to move into development.</p> <p>Capital Power: Suggests referencing Section 4 in the first sentence for clarity.</p>	

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		(ii) develop a proposed rule if, in the opinion of the ISO a proposed rule is necessary.	(ii) develop a proposed rule if, in the opinion of the ISO a proposed rule is necessary.	<p>CWG: For part (a), propose that “of any parties” be moved from the main line to the beginning of parts (i) and (ii) and change “or” to “and” to ensure that all impacted and interested parties are included.</p> <p>IPPSA: AESO should be required to respond to stakeholder comments, questions, and alternatives to improve transparency, regulatory efficiency.</p> <p>TransAlta: Part (b) should require “open, transparent and meaningful” consultation. An objective standard is needed rather than an unqualified allowance for ISO discretion.</p> <p>Stakeholders should be able to address the impacts of a proposed rule on the market as a whole and to suggest modifications. TransAlta provided language to implement its comments.</p> <p>TCE: Replace “or” in subsection (a)(i) with “and” to ensure that both groups are included when forming a consultation group.</p> <p>UCA: Replace “or” in (a)(i) with “and”.</p>	
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.	ENMAX: Proposed a number of additions to enhance transparency of the consultation process, including providing any data or analysis along with the information required in 7.2(b) through 7.2(i) as well as having the AESO respond to submissions from participants.	

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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>	<p>AESO: Supportive of stakeholders commenting on whether a rule is technically deficient to help identify any gaps.</p>	
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>		
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>	<p>AESO: Wish to have ability to provide written responses to stakeholders where appropriate to create a comprehensive record.</p> <p>AltaLink: Firmly supports adding a requirement for the AESO to reply to comments submitted as well as a rationale for accepting or rejecting comments.</p> <p>ATCO: Important for the AESO to provide responses to stakeholder comments prior to an AUC proceeding. May result in protracted regulatory process if concerns need to be rehashed in an AUC proceeding because a response was not received.</p> <p>Capital Power: Need to include an obligation for the AESO to post replies to stakeholder comments and alternatives. AESO should be required to respond to questions and</p>	

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				<p>requests for clarification in comment matrices and post replies publicly. Proposed language for a new subsection 6.6, resulting in the current 6.6 to become 6.7.</p> <p>CWG: AESO should be required to respond to comments to improve consultation and regulatory efficiency.</p> <p>Propose specific language to implement comments.</p> <p>EPCOR: Add language requiring the AESO to consider comments received under subsection 6.3 and prepare a reply to the comments, including whether the AESO has made changes to the ISO rule. Replies provide valuable information to stakeholders and without the process, it will lead to inefficient regulatory proceedings due to increased numbers of interveners and information requests.</p> <p>IPCAA: AESO should respond to comments instead of just posting comments.</p> <p>TCE: New Rule 017 should include the reply provisions contained in sections 8-10 of the current Rule 017 to improve Commission understanding of issues, scoping, and overall regulatory efficiency.</p> <p>TransAlta: AESO should be required to reply to comments, including explanations of why certain positions were accepted or rejected. Propose specific language to implement this.</p>	

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				<p>UCA: AESO should be required to reply to all comments, explain why alternatives were accepted or rejected to limit repetition of comments and improve clarity and completeness of record.</p>	
6	6.6	<p>After consulting under Section 6, the ISO may proceed to make an application to the Commission under Section 7.</p>	<p>After consulting under Section 6, the ISO may proceed to make an application to the Commission under Section 7.</p>		
7	7.1	<p>Application for Commission approval of proposed rules The ISO must apply to the Commission for approval of a proposed rule.</p>	<p>Application for Commission approval of proposed rules The ISO must apply to the Commission for approval of a proposed rule.</p>	<p>AESO: Proposes removing this as it duplicates Section 20.2 of the EUA and is not necessary.</p>	
7	7.2	<p>Subject to subsection 7.3, an application for approval of a proposed rule must include the following information:</p> <ul style="list-style-type: none"> (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, efficient and openly competitive market, was proposed; (g) a description of any alternatives that were explored during consultation and an explanation as to why they were rejected; (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>Subject to subsection 7.3, an application for approval of a proposed rule must include the following information:</p> <ul style="list-style-type: none"> (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, efficient and openly competitive market, was proposed; (g) a description of any alternatives that were explored during consultation and an explanation as to why they were rejected; (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>AESO: Phrase “relates to the capacity market” in subsections 7.2(b) and (h) is vague. Recommends clarifying to read “is necessary for the implementation or specific functioning of the capacity market”.</p> <p>7.2(f) and (i) often have overlapping considerations and in some cases, trade-offs with other ISO rules. Believes that FEOC and public interest should be reviewed together along with reliable supply at a reasonable cost.</p> <p>Capital Power: Suggested changes to 7.2(b) to include the energy market and the ancillary services market as it is important to understand how a rule relates to and impacts the electricity market as a whole or else could risk unintended consequences. Further suggest changes to 7.2(e) to include non-commercially sensitive data and add 7.2(j) to include a description of how the proposed</p>	

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		(i) an explanation of how the proposed rule supports the public interest.	(i) an explanation of how the proposed rule supports the public interest.	<p>rule is not technically deficient to align with legislation.</p> <p>TransAlta: Recommend changing part (b) to include “whether the proposed rule relates to the capacity or the electricity market...”</p> <p>Concerns that (a) through (i) are not prescriptive enough to ensure the proposed rules are well supported. Rule should include a more detailed list of minimum filing requirements to ensure that there is well developed analysis of alternatives and strong evidence justifying the legal sufficiency of proposed rules.</p> <p>UCA: Application for approval of a proposed rule must explain how the proposed rule applies to the entire market not simply the capacity market.</p> <p>Do not support inclusion of language stating that investors should have the opportunity to recover fixed costs and return on investment in Rule 017.</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.	TransAlta: Section 7.3 should be removed. Frequent application of this section would essentially negate the prudence requirements for proposing rules laid out in 7.2.	
		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</p>	<p>Definitions</p> <p>In this Part:</p> <p>(a) “proposed initial rule” means a proposed new ISO rule, a</p>	Capital Power: Unclear why the distinction between “proposed initial rule” and “proposed provisional rule” is necessary for the purposes of	

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		<p>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 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>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 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>Rule 017, recognizing the distinction arises from the language of Bill 13. Capital Power requested that the AUC clarify and explain how Part 3 applies differently to a “proposed initial rule” versus a “proposed provisional rule” and why.</p> <p>TCE: Recommend change to subsection (a)(ii)1; “directed by the Commission to be considered under Section 20.21...”</p> <p>Seeks clarity with respect to Section 8.1(a)(ii)2. It appears that this section would apply to any proposed rule that has not received provisional approval and was developed by the AESO under Section 41.42(1) of the <i>Electric Utilities Act</i>. A proposed rule developed under Section 41.42(1) would include any rule required for the establishment or operation of the capacity market, both essential or non-essential as determined by the AESO. As such, this would appear to include proposed provisional rules, which TCE expects is not the intent.</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>		
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>AESO: Recommends removing this section as development of the proposed provisional rules is already underway. Sees little to no merit in posting the notice required as a result.</p>	

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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; (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: <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 outlined in subsection 10.3 can be accessed. 	<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; (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: <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 outlined in subsection 10.3 can be accessed. 	<p>AESO: Proposed a complete rewrite of this section as the current timetable does not allow for time to consult with stakeholders on the form of consultation for the proposed provisional rules. The consultation plan and schedule will be released before Rule 017 comes into effect. Propose to instead publish a notice with a list of the provisional rules along with details of the consultation process. Believe this meets the intent of section 10.2.</p>	
10	10.3	<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, or removal of the proposed provisional 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, or removal of the proposed provisional rule.</p>	<p>AESO: Propose removing this section. Stated that relevant material was provided during the Straw Alberta Market and Comprehensive Market Design development phases and information is still posted to the AESO website. Stated that any additional material it considers relevant will be made publicly available during the ISO rules engagement process.</p> <p>Capital Power: Add language to specify that “any material the ISO considers relevant” to include any relevant analysis it has conducted or commissioned. Believe the AESO should seek to share</p>	

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
				<p>analysis as early as possible in consultation with stakeholders.</p> <p>ENMAX: Proposes to replace “the ISO considers to be relevant” with “including any data and analysis”. Stated this is designed to enhance transparency and make consultation more effective. The change removes the subjectivity about what the AESO must disclose.</p> <p>TransAlta: AESO should be required to share all data and analysis related to the need for the development of a proposed rule.</p>	
11	11.1	<p>Comments</p> <p>The Market Surveillance Administrator, market participants, and interested parties may:</p> <p>(a) provide general written comments to the ISO on the need for a proposed provisional rule;</p> <p>(b) submit a request to participate in consultation with the ISO; and</p> <p>(c) comment on the form of consultation.</p>	<p>Comments</p> <p>The Market Surveillance Administrator, market participants, and interested parties may:</p> <p>(a) provide general written comments to the ISO on the need for a proposed provisional rule;</p> <p>(b) submit a request to participate in consultation with the ISO; and</p> <p>(c) comment on the form of consultation.</p>	<p>AESO: Propose to remove subsection (a) and (c) as the development is already happening. Proposed additional wording within subsection (b) to relate to the AESO’s proposed language for section 10.2.</p> <p>Capital Power: Supports market participants commenting on the form of consultation and the ISO having the ability to have discretion in establishing the level and form of consultation.</p> <p>UCA: (b) changed to “submit a notice of intent to participate in consultation with the ISO”.</p>	
11	11.2	<p>Within 5 business days of receipt of comments, the ISO must:</p> <p>(a) post all submissions received pursuant to subsection 11.1 on the ISO’s website; and</p> <p>(b) provide written notice to the Market Surveillance Administrator, market participants and other interested</p>	<p>Within 5 business days of receipt of comments, the ISO must:</p> <p>(a) post all submissions received pursuant to subsection 11.1 on the ISO’s website; and</p> <p>(b) provide written notice to the Market Surveillance Administrator, market participants and other interested</p>	<p>AESO: Based on its comments for 11.1, the AESO recommends removing 11.2(b). It further requested the AUC to revisit whether posting consultation notices on the AESO website is necessary.</p>	

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
		parties regarding where the information set out in subsection 11.2(a) can be accessed.	parties regarding where the information set out in subsection 11.2(a) can be accessed.	<p>IPCAA: AESO should respond to comments.</p> <p>TransAlta: AESO should be required to reply to comments, including explanations of why certain positions were accepted or rejected.</p>	
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> <p>(a) form a consultation group or consultation groups composed of any parties:</p> <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 proposed provisional rule; (iii) consult with the consultation group(s) in a manner determined by the ISO to further develop the proposed provisional rule. 	<p>Consultation on proposed provisional rules</p> <p>Upon receipt of any notice of intent to participate in consultation, the ISO must:</p> <p>(a) form a consultation group or consultation groups composed of any parties:</p> <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 proposed provisional rule; (iii) consult with the consultation group(s) in a manner determined by the ISO to further develop the proposed provisional rule. 	<p>AESO: Replace “consultation group” with “engagement group”</p> <p>Capital Power: Suggests referencing Section 10 in the first sentence for clarity.</p> <p>TCE: Recommend changing “or” in subsection (a)(i) to “and”. TCE believes there to be a minor numbering error in the proposed language and recommends the AUC change the numbering of subsection (a)(iii) to (b).</p> <p>UCA: Replace “or” in (a)(i) with “and”.</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.	<p>AESO: change the information required to end at 13.2(i) as it is continuing to work with the demand curve working group on demand curve parameters and procurement volumes may not be developed with sufficient time to allow for stakeholder comment prior to filing.</p> <p>ENMAX: Proposed a number of additions to enhance transparency of the consultation process, including providing any data or analysis along with the information required in 13.2(b) through 13.2(i) as well as having the AESO respond to submissions from participants.</p>	

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
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>	<p>UCA: AESO should be required to reply to all comments, explain why alternatives were accepted or rejected to limit repetition of comments and improve clarity and completeness of record.</p>	
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>	<p>AESO: proposed the removal of 12.4(b) and (c) and provided new language for 12.4(b) in conjunction with its suggested amendments to section 10.2 and the suggested removal of 10.3 and prior removal of 10.4.</p> <p>TransAlta: The subsection references should be conformed to the revised Rule 017; in section 12.4 (b) the references would be to subsection 10.2 and in section 12.4(c) the reference would be to subsection 10.3.</p>	
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>	<p>Capital Power: Need to include an obligation for the AESO to post replies to stakeholder comments and alternatives. AESO should be required to respond to questions and requests for clarification in comment matrices and post replies publicly. Proposed language for a new subsection 12.6, resulting in the current 12.6 to become 12.7.</p> <p>CWG: AESO should be required to respond to all comments received. Propose language changes to implement this.</p>	

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
				<p>IPCAA: AESO should respond to comments.</p> <p>TCE: New Rule 017 should include the reply provisions contained in sections 8-10 of the current Rule 017 to improve Commission understanding of issues, scoping, and overall regulatory efficiency</p> <p>TransAlta: AESO should be required to reply to comments, including explanations of why certain positions were accepted or rejected.</p>	
12	12.6	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.	AESO: Noted that “working group” should be changed.	
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>		
13	13.2	<p>An application for approval of a proposed provisional rule or a proposed initial rule must include the following information:</p> <ul style="list-style-type: none"> (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; (b) An explanation of whether the proposed provisional rule or proposed initial rule relates to the capacity market and why; (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; (d) A description of the objective or purpose of the proposed provisional rule or proposed initial rule; (e) A copy of any analysis conducted or commissioned by the ISO supporting the proposed provisional rule or proposed 	<p>An application for approval of a proposed provisional rule or a proposed initial rule must include the following information:</p> <ul style="list-style-type: none"> (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; (b) An explanation of whether the proposed provisional rule or proposed initial rule relates to the capacity market and why; (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; (d) A description of the objective or purpose of the proposed provisional rule or proposed initial rule; (e) A copy of any analysis conducted or commissioned by the ISO supporting the proposed provisional rule or proposed 	<p>Capital Power: Suggested changes to 13.2(b) to include the energy market and the ancillary services market as it is important to understand how a rule relates to and impacts the electricity market as a whole or else could risk unintended consequences. Further suggest changes to 13.2(e) to include non-commercially sensitive data and add 13.2(j) to include a description of how the proposed rule is not technically deficient to align with legislation, which would move current 13.2(j) to 13.2(k).</p> <p>TransAlta: Recommend changing part (b) to include “whether the proposed rule</p>	

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
		<p>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>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>relates to the capacity or the electricity market..." Same comments as 7.2.</p> <p>UCA: The AUC needs to develop rules for CONE and Demand Curve, especially considering the re-occurring need for their approval. Inclusion in separate sections in Rule 017 may be appropriate.</p>	
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.	AESO: Requests clarification if this section is included to address the scoping exercise that the Commission will be undertaking later this year. If so, it requests the AUC be more specific. Otherwise, the AESO stated it is unsure of whether it can comply with additional application requirements if they are introduced on an ad hoc basis due to the time constraints.	
14	14.1	<p>Notice and consultation for proposed initial rules</p> <p>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.</p>	<p>Notice and consultation for proposed initial rules</p> <p>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.</p>		

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
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.	<p>AESO: Recommended removing this section as the AUC must complete its regular consideration of the capacity market rules within 24 months of filing. There will not be sufficient time to re-consult on the same ISO rules.</p> <p>IPCAA: Need to clarify what “complete proposal” means.</p>	
		Part 4: Application for Commission approval of expedited rules	Part 4: Application for Commission approval of expedited rules		
15	15.1	<p>Definitions</p> <p>In this Part:</p> <p>(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>.</p> <p>(b) “proposed rule” has the meaning given to it in Part 2 of this rule.</p>	<p>Definitions</p> <p>In this Part:</p> <p>(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>.</p> <p>(b) “proposed rule” has the meaning given to it in Part 2 of this rule.</p>		
16	16.1	<p>Application</p> <p>Subject to subsection 17.2, Part 2 of this rule does not apply to:</p> <p>(a) applications for expedited implementation of proposed rules; or</p> <p>(b) expedited rules.</p>	<p>Application</p> <p>Subject to subsection 17.2, Part 2 of this rule does not apply to:</p> <p>(a) applications for expedited implementation of proposed rules; or</p> <p>(b) expedited rules.</p>		
17	17.1	<p>Expedited rule applications</p> <p>The ISO must apply for Commission approval for expedited implementation of a proposed rule.</p>	<p>Expedited rule applications</p> <p>The ISO must apply for Commission approval for expedited implementation of a proposed rule.</p>	<p>AESO: Suggested removing as it duplicates section 20.6 of the EUA.</p>	
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.	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.	<p>Capital Power: AESO should notify the market of a forthcoming expedited rule as soon as it has determined that one is necessary.</p> <p>CWG: AESO should provide notice to the market that it is developing a rule that may</p>	

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
				require expedition at the point rule development begins rather than at the application stage. Suggest language to implement this.	
17	17.3	<p>An application for Commission approval for expedited implementation of a proposed rule must include:</p> <p>(a) a copy of the proposed rule for which expedited implementation is sought; and</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> (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). 	<p>An application for Commission approval for expedited implementation of a proposed rule must include:</p> <p>(a) a copy of the proposed rule for which expedited implementation is sought; and</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> (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). 		
17	17.4	<p>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.</p>	<p>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.</p>	<p>Capital Power: Proposed a new subsection indicating that once approved, an expedited rule is subject to the requirements of Part 2.</p> <p>IPCAA: Expedited rules should include a sunset clause to ensure the rule goes through the full AUC review process.</p> <p>TCE: Once a rule is approved on an expedited basis, AUC should include a consultation requirement prior to the rule being considered under EUA 20.21 to reduce regulatory burden.</p> <p>TransAlta: Section 17 should be clarified in respect of which consultation and minimum filing requirements in Part 2, if any, will apply to the section 20.21 EUA full review process for an expedited rule (as referred to in subsection 20.6(6) of the EUA).</p>	

Section	Subsection	Existing	Proposed changes	Stakeholder comment	AUC staff response
				Need clarification of consultation and filing requirements for full review process of expedited rules – should be treated like other proposed ISO rules.	

General category	General stakeholder comments	AUC staff response	Section of Rule 017
AESO response to comments	<p>AltaLink: There needs to be AESO responses to stakeholder comments and rationale for accepting or rejecting comments. Without this step, it may lead to regulatory inefficiency due to parties needing to intervene and ask information requests.</p>		
Timelines	<p>AltaLink: Needs to be established timelines for notifications, the consultation process and for the submission of the application for approval of ISO rules. This would ensure parties are aware of the process and the timelines needed for approval of an ISO rule. Absent of timelines, AltaLink stated that it will trust that the AESO will take every step to ensure all parties are aware of the timelines for submission and consultation on ISO rules as part of its requirement to complete a consultation process under the proposed amendments to Rule 017.</p>		
Information documents and business practices	<p>CanSIA: Supportive of the consultation and filing requirements regarding authoritative documents, but concerned with the AESO's ability to determine which documents are authoritative and which are not. Information documents used to supplement authoritative documents often have significant impacts on market participants, but they do not need to be consulted on or approved so there is no easy recourse for market participants to go to the Commission. CanSIA provided an example where the AESO changed the point of supply within the ISO tariff from the 138 kV bus to the 25 kV feeder level and noted this will have a significant impact on existing and planned distribution connected generation.</p> <p>CanSIA submitted that a section should be added to Rule 017 addressing the concern that the AESO currently has unilateral power to change information documents and business practices which can change the economics for market participants without consultation or regulatory oversight. CanSIA responded to AUC comments during the consultation that complaints about AESO conduct are available, but replied that the process is restrictively burdensome as the market participant needs to win a regulatory proceeding against the AESO.</p> <p>CWG: Anything that places a requirement on market participants should be an authoritative document. At minimum, there should be a defined process that allows market participants to challenge AESO categorization of documents.</p>		
Removal of Section 13 – Reliance on completed	<p>Capital Power: Understands the removal is to reflect that the AESO is still required to consult on draft rules. Supports the removal subject to confirmation from the AUC that the significant consultation that has</p>		

General category	General stakeholder comments	AUC staff response	Section of Rule 017
consultation	happened to date will be given due consideration by the Commission during the rule approval process.		
Use of the consultation record in a hearing	<p>ENMAX: Concern that market participants could circumvent the hearing process by making alternative ISO rule proposals in the AESO’s consultation process, which would form part of the proceeding record, and then not attend the hearing. This would prejudice market participants attending the hearing as they would not be able to ask information requests or cross examine the party. Suggested that unsupported evidence will not be considered in the Commission’s adjudication of an AESO rule. Claim that market participants may have an expectation that the Commission will give their submissions equal weight to those supported in the hearing process.</p>		
Governance of market design parameters	<p>ENMAX: Ongoing governance of parameters such as the demand curve and the cost of new entry are critical to the success of the capacity market. The absence of a governance structure in the current market design increases the risks and uncertainties borne by market participants.</p> <p>TCE: If an ISO rule does not require that certain demand curve parameters be approved by the AUC on an annual basis, similar to tariff updates, AUC should consider adding this to Rule 017.</p> <p>UCA: Need for specific accommodation to address demand curve. Yearly review of demand curve parameters could be addressed in Rule 017 or another rule.</p>		
Scope of the preliminary hearing	<p>CWG: Commission should hold a technical workshop in late 2018 to discuss scoping.</p> <p>Concerned with the possibility of different rules being approved in the provisional process from the rules approved in the full 18-month process. This creates significant investor uncertainty. Suggest changing the timeline of rule approval: “As long as the pre-qualification and qualification rules are approved provisionally and the AESO is able to begin these activities in late 2019, then the auction can occur after the final rules are approved through the 18-month process.</p> <p>ENMAX: There is considerable uncertainty about the scope of the AUC’s fall hearing and encourages the AUC to communicate the intended scope of the proceeding in as much detail as possible at its earliest convenience. ENMAX noted that market participants will need</p>		

General category	General stakeholder comments	AUC staff response	Section of Rule 017
	to dedicate internal and external resources to the proceeding to meaningfully participate in it.		
Cost allocation	IPCAA: Will AUC review capacity cost allocation? Will this be a part of Rule 17?		
Expedited rules	CWG: The language of AUC Rule 017 should be clear that the AESO is still required to consult on the rule and apply for the rule following the Commission approval of expedited implementation. Suggest adding Section 18 to implement this. Included proposed language.		
Commission-directed amendments to ISO rules and AESO compliance filings	CWG: Concerns about lack of consultation by the AESO and shortened Commission process for rule changes required through Commission decisions. Test at this point is simply compliance with the Commission direction and not the more rigorous public interest, FEOC, and not technically deficient. This type of rule change should be subject to the same consultation and process requirements as new rule or rule amendment.		
Provisional rule approval process	IPCAA: Concerned that this review will address only rules related to the capacity market without a holistic perspective including the whole electricity market.		
Other AUC rules	UCA: Other AUC rules may be impacted by capacity market rules. A process for reviewing the impacts should be considered.		