

## Bulletin 2018-08

May 2, 2018

### **Confidentiality undertaking form (Form RP5) revised effective May 2, 2018** **Form required in AUC Rule 001: *Rules of Practice* for confidentiality requests**

The Alberta Utilities Commission has approved a revision to Form RP5, standard form of confidentiality undertaking and statutory declaration, to extend the operation of a confidentiality ruling in a proceeding to any Commission-directed compliance proceeding(s) that is associated with the original proceeding, such as an associated compliance application proceeding.

This revision is intended to facilitate the evaluation and processing of compliance applications by removing the requirement for parties to file motions requesting confidential treatment of information that had previously been granted confidential treatment in the original proceeding. These changes will come into effect on **May 2, 2018**.

Utilities and interveners both identified concerns that the existing requirement to file a second motion for confidential treatment in a compliance proceeding with respect to information granted confidential treatment in the original proceeding is burdensome, costly and results in unnecessary regulatory lag. These revisions were made in response to those concerns.

Parties who have signed Form RP5 prior to the effective date of the new form must continue to comply with the obligations set out in the associated Commission confidentiality ruling and the Form RP5 undertaking signed by them.

This bulletin will be posted on the AUC website ([www.auc.ab.ca](http://www.auc.ab.ca)) under the Regulatory documents drop-down menu and the revised form of confidentiality undertaking and statutory declaration can be found under Industry reference>Forms, templates and reference documents or by clicking this link [http://www.auc.ab.ca/regulatory\\_documents/Pages/Reference.aspx](http://www.auc.ab.ca/regulatory_documents/Pages/Reference.aspx).

Specific changes to Form RP5 include the following:

- Extension of the use of confidential information from the original proceeding to any associated compliance application proceeding.
- Subject to appeal or review provisions, an extension of the requirement to expunge confidential information and deliver a statutory declaration to 30 days following the receipt of any Commission decision in respect of any associated compliance application proceeding.
- Extension of the appeal provisions to appeals of Commission decisions in respect of any associated compliance application proceeding.

- Extension of the review provisions to reviews of Commission decisions in respect of any associated compliance application proceeding.

The Commission considers these amendments to be administrative in nature and reflective of recent Commission practice for processing confidentiality motions in compliance application proceedings and is, therefore, not conducting a stakeholder consultation on these amendments.

Any questions related to this consultation should be directed to Catherine Wall at 403-592-4506.

*(original signed by)*

Robert D. Heggie  
Chief Executive