



The City of Red Deer

Distribution Service Area Expansion

September 9, 2011



The Alberta Utilities Commission
Decision 2011-370: The City of Red Deer
Distribution Service Area Expansion
Application No. 1607111
Proceeding ID No. 1125

September 9, 2011

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1 Background and introduction

1. By Order in Council *O.C. 531/2009* issued October 28, 2009, and pursuant to sections 125 and 138 of the *Municipal Government Act*, the Lieutenant Governor in Council approved a large annexation of lands (annexed lands) by the City Red Deer (Red Deer) from Red Deer County, effective September 1, 2009. As a result of that annexation, the new corporate boundary of Red Deer extends beyond the previously approved service area¹ of the Red Deer electric distribution system.

2. Red Deer filed Application No. 1607111, on March 16, 2011, with the Alberta Utilities Commission (AUC or the Commission) for approval to expand its electric distribution system service area to include some of the annexed lands. The annexed lands that Red Deer wants to include in its service area are located as follows:

- The east half of Section 2, Township 38, Range 27, west of the Fourth Meridian, including all land adjacent to the south side of said half section lying north of the south boundary of Plan 032 0638 and including all land lying north of the Production² west of the south boundary of Plan 032 0638.
- The east half and the northwest quarter of Section 26, Township 38, Range 27, west of the Fourth Meridian.
- The west half of Section 35, Township 38, Range 27, west of the Fourth Meridian, including the east-west road allowance adjacent to the north side of the northwest quarter section of Section 35, Township 38, Range 27, west of the Fourth Meridian.
- All intervening road allowances, registered road and highway plan rights-of-way.

3. Customers within the annexed lands (annexed customers) were being served by electric distribution facilities owned and operated by FortisAlberta Inc. (Fortis). Fortis provided a list of the approximately 30 annexed customers to the Commission.

2 Discussion

4. Both Fortis and ENMAX Power Corporation (ENMAX) filed a statement of intent to participate (SIP) as interested parties to the application on April 18 and June 17, 2011, respectively. Neither party indicated that it was objecting to Red Deer's application.

¹ Distribution Service Area Approval No. U2010-90, Application No. 1605876, Proceeding ID No. 493, February 25, 2010.

² Defined term in Order in Council *O.C. 531/2009*.

5. The Commission issued a notice of application on July 11, 2011, with a response deadline of August 5, 2011. The notice was advertised in the Red Deer Advocate daily newspaper and also mailed directly to each of the annexed customers identified on Fortis' list.
6. AltaLink Management Ltd. (AltaLink) filed a SIP on August 5, 2011 indicating its intent to monitor the application. No other SIPs were received in response to the notice and neither Fortis nor ENMAX responded to the notice.

3 Commission findings

7. There were three SIPs filed in relation to the application but none of the interveners indicated an objection to the application.
8. The Commission is aware that pursuant to the *Municipal Government Act*, Red Deer has the right to serve electrical customers within its corporate boundary.
9. The Commission finds that approving the application is in the public interest.

4 Decision

10. Pursuant to sections 25 and 29 of the *Hydro and Electric Energy Act*, the Commission approves Application No. 1607111 for the expansion of the City of Red Deer's electric distribution system service area and grants the City of Red Deer the approval set out in Appendix 1 – Distribution Service Area – Approval No. U2011-270. (Appendix 1 will be distributed separately).

Dated on September 9, 2011.

The Alberta Utilities Commission

(original signed by)

Neil Jamieson
Commission Member