

Bulletin 2021-02

February 3, 2021

Proposed amendments to AUC Rule 016

The Alberta Utilities Commission is proposing amendments to Rule 016: *Review of Commission Decisions* as part of its continuous effort to implement process efficiencies identified in the [Report of the AUC Procedures and Processes Review Committee](#). As noted in the report, the Supreme Court of Canada re-examined its standard of review framework in a decision titled *Canada (Minister of Citizenship and Immigration) v Vavilov*, which alters the standard of review applicable to many Commission decisions.

In light of the decision's effect on appellate review of Commission decisions and as part of its ongoing review of its case management procedures, the Commission is proposing amendments to Rule 016 that will:

- Limit review applications to errors of fact, or mixed fact and law where the legal principle is not readily extricable.
- Change the filing deadline for review and variance applications to 30 days after the original decision is issued.
- Introduce page limits for applications and reply submissions.

The Commission is also proposing process changes. Where the outcome of a review application is clear on its face, the Commission will proceed directly to a decision rather than seek submissions from other parties. Where submissions from other parties are warranted, the Commission will eliminate the statement of intent to participate stage and immediately request submissions from parties.

The Commission's review of Rule 016 will consist of a stakeholder consultation involving a written process.

The [AUC Engage forum](#), found through the AUC website, will be used to gather input and feedback related to this consultation. To participate, please register on Engage by visiting the [AUC Rule 016 Engage page](#), and submit your comments on the proposed changes to the rule. A blackline version of the rule along with a clean version can be found under the side bar called "Consultation Documents" on the project page. The deadline for submitting comments is February 24, 2021.

Any questions related to this bulletin should be directed to Kim Macnab at kim.macnab@auc.ab.ca or Catherine Wall at catherine.wall@auc.ab.ca.

Alberta Utilities Commission