

# Bulletin 2021-11

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## Amendments to AUC Rule 016

The Alberta Utilities Commission has amended [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](#). Rule 016 sets out the process that is applied when the Commission exercises its discretionary authority to review its own decisions, on its own initiative or at the request of a party. The Commission amended Rule 016 to clarify the circumstances in which a review will be considered and to enhance the efficiency of the review process.

The Commission has amended Rule 016 in accordance with Section 10 of the *Alberta Utilities Commission Act*, which allows the Commission to make rules respecting the review of any decision or order made by it, including the criteria that the Commission may use to determine whether to review a decision or order. Namely, the Commission has amended Rule 016 to:

- Remove from the scope of a Commission review errors of law or jurisdiction.
- 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.

With respect to the first amendment, the Commission acknowledges stakeholder concerns with the potential complexity that may arise. The proposed revisions to Rule 016 are designed to minimize overlap with Court of Appeal of Alberta proceedings based on the nature of the question under review or appeal. The Commission recognizes that questions may have to be assessed on a case-by-case basis to determine the nature of the alleged error. However, the Commission considers that undertaking such an assessment at the outset of a proceeding will promote greater efficiency in the review process for all parties.

With respect to the second and third amendments, the Commission received comments from stakeholders that the proposed page limits may not be sufficient in certain cases to allow a party to fully explain its position, depending on the complexity of the issues involved and the nature of the decision under review. The Commission has increased the page limits initially proposed in recognition of the comments received. Parties can seek approval from the Commission to further expand these page limits.

The Commission has also made minor wording changes to improve clarity and removed certain information requirements that were already satisfied by parties' use of the eFiling System. The revised [Rule 016](#) can be found on the Commission's website.

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

Alberta Utilities Commission