

(no amdt)

ALBERTA REGULATION 287/2020

Utility Payment Deferral Program Act

**UTILITY PAYMENT DEFERRAL
PROGRAM REGULATION**

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Definitions

1 In this Regulation,

- (a) “ISO tariff” has the meaning given to it by the *Electric Utilities Act*;
- (b) “self-funded electricity service provider” means an electricity service provider that
 - (i) is participating in the Electric Utility Payment Deferral Program, and
 - (ii) did not receive funding under section 8 of the Act;

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- (c) “self-funded gas service provider” means a gas service provider that
- (i) is participating in the Gas Utility Payment Deferral Program, and
 - (ii) did not receive a loan from the Minister under section 18 of the Act.

Part 1
Self-funded Electricity Service
Providers and Rate Riders

**Duty to provide reports and
keep accounts and records**

2 A self-funded electricity service provider that has, or will, make an application under section 3 must

- (a) maintain records and accounts in a manner that provides a reasonable understanding of
 - (i) the payments that were deferred by enrolled electricity customers under section 5 of the Act,
 - (ii) the payments that were received from enrolled electricity customers under section 6 of the Act,
 - (iii) the proportion of the amounts referred to in each of subclauses (i) and (ii) that
 - (A) are not in respect of the deferred payment of transmission charges, and
 - (B) are in respect of the deferred payment of transmission charges,and
 - (iv) any amounts that the self-funded electricity service provider remitted to distribution owners under section 9(1)(b)(i) of the Act,
- (b) provide, when requested by the Commission, a detailed report of finances and operations relating to all money paid or received in respect of the Electric Utility Payment Deferral Program or payment of transmission charges, containing the information and verified in the manner the Commission requires, and

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- (c) subject to any order of the Commission, maintain accounts using any basis or method the Commission directs.

Application for rate rider

3(1) A self-funded electricity service provider may apply to have the deferred amounts that the self-funded electricity service provider did not receive from enrolled electricity customers under section 6 of the Act in the repayment period included in a rate rider under this section.

(2) An application under subsection (1) must be made to the Commission and must set out

- (a) the deferred amounts that were not received by the self-funded electricity service provider from enrolled electricity customers in the repayment period under section 6 of the Act, and
- (b) the reasonable efforts that the self-funded electricity service provider made to collect the deferred amounts referred to in clause (a).

(3) A self-funded electricity service provider must provide any other information, reports or assistance requested by the Commission for the purpose of establishing a rate rider under this section.

(4) The Commission must establish a rate rider to recover all of the reasonable deferred amounts that it determines self-funded electricity service providers did not receive from enrolled electricity customers in the repayment period under section 6 of the Act.

(5) The ISO must, as soon as practicable, pay all amounts collected pursuant to the rate rider to self-funded electricity service providers in the amounts and within the timelines approved by the Commission.

(6) If, after the repayment period, a self-funded electricity service provider that has made an application under this section receives a payment from an enrolled electricity customer in respect of amounts that the customer had deferred under section 5 of the Act, the electricity service provider must notify the Commission, and the Commission may adjust the amount to be paid to that self-funded electricity service provider under subsection (5).

**Rate riders under section 11
of the Act and this Part**

4(1) Applications under section 3(1) of this Regulation and under section 11(2) and (3) of the Act must be made to the Commission as soon as practicable on or after June 19, 2021 and no later than July 18, 2021.

(2) The rate riders established under section 3(4) of this Regulation and under section 11 of the Act must be included in the ISO tariff during the rate rider period, be charged on a per megawatt-hour basis, and be applied to

- (a) owners of electric distribution systems to which Part 7 of the *Electric Utilities Act* applies,
- (b) customers who are industrial systems within the meaning of the *Electric Utilities Act*, and
- (c) persons that have made arrangements under section 101(2) of the *Electric Utilities Act*.

**Part 2
Self-funded Gas Service
Providers and Rate Riders**

**Duty to provide reports and
keep accounts and records**

5 A self-funded gas service provider that has, or will, make an application under section 6 must

- (a) maintain records and accounts in a manner that provides a reasonable understanding of
 - (i) the payments that were deferred by enrolled gas customers under section 15 of the Act,
 - (ii) the payments that were received from enrolled gas customers under section 16 of the Act,
 - (iii) the proportion of the amounts referred to in each of subclauses (i) and (ii) that
 - (A) are not in respect of the deferred payment of transmission charges, and
 - (B) are in respect of the deferred payment of transmission charges,

and

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- (iv) any amounts that the self-funded gas service provider remitted to the gas distributor under section 19 of the Act,
- (b) provide, when requested by the Commission, a detailed report of finances and operations relating to all money paid or received in respect of the Gas Utility Payment Deferral Program or payment of transmission charges, containing the information and verified in the manner the Commission requires, and
- (c) subject to any order of the Commission, maintain accounts using any basis or method the Commission directs.

Application for rate rider

- 6(1)** A self-funded gas service provider may apply to have the deferred amounts that the self-funded gas service provider did not receive from enrolled gas customers under section 16 of the Act in the repayment period included in a rate rider under this section.
- (2)** An application under subsection (1) must be made to the Commission and must set out
- (a) the deferred amounts that were not received by the self-funded gas service provider from enrolled gas customers in the repayment period under section 16 of the Act, and
 - (b) the reasonable efforts that the self-funded gas service provider made to collect the deferred amounts referred to in clause (a).
- (3)** A self-funded gas service provider, gas distributor or transmission provider must provide any other information, reports or assistance requested by the Commission for the purpose of establishing a rate rider under this section.
- (4)** The Commission must establish a rate rider to recover all of the reasonable deferred amounts that it determines self-funded gas service providers did not receive from enrolled gas customers in the repayment period under section 16 of the Act.
- (5)** Each gas distributor must, as soon as practicable, pay all amounts collected pursuant to the rate rider to self-funded gas service providers in the amounts and within the timelines approved by the Commission.

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(6) If, after the repayment period, a self-funded gas service provider that has made an application under this section receives a payment from an enrolled gas customer in respect of amounts that the customer had deferred under section 15 of the Act, the gas service provider must notify the Commission, and the Commission may adjust the amount to be paid to that self-funded gas service provider under subsection (5).

**Rate riders under section 21 of
the Act and this Part**

7(1) Applications under section 6(1) of this Regulation must be made to the Commission as soon as practicable on or after June 19, 2021 and no later than July 18, 2021.

(2) A proceeding under section 21 of the Act must be initiated by the Commission as soon as practicable on or after June 19, 2021 and no later than July 18, 2021.

(3) The rate riders established under section 6(4) of this Regulation and under section 21 of the Act must

- (a) be included in the distribution tariff charged by each gas distributor that has a distribution tariff that is fixed or approved by the Commission under the *Gas Utilities Act* during the rate rider period, and
- (b) apply to all rate classes and be set on a per gigajoule basis so all customers of each gas distributor receive an identical per gigajoule rate rider charge.

(4) Each gas distributor must, as soon as practicable, pay all amounts it collects through the rate rider established under section 21 of the Act in accordance with section 21(4) of the Act and within the timelines approved by the Commission.