

Rule 030

Compliance with the Code of Conduct Regulation

This rule as amended was approved by the Alberta Utilities Commission on February 19, 2019 and is effective on April 1, 2019.

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1 Application

This rule applies to a distributor, a regulated rate supplier, and an affiliated provider of a distributor or regulated rate supplier.

2 Definitions

In this rule,

- (a) Alberta Utilities Commission means the Commission as defined in the *Alberta Utilities Commission Act*;
- (b) The following terms have the same meaning set out in the *Code of Conduct Regulation*
 - affiliated provider
 - compliance plan
 - customer
 - distributor
 - energy services
 - regulated rate supplier
 - retail energy services

3 Variance of compliance plan requirements

- (1) A distributor that has 5,000 customers or less to whom it provides energy services or retail energy services may file a varied compliance plan in accordance with this section.
- (2) A regulated rate supplier and an affiliated provider of a distributor or regulated rate supplier may apply to the Commission to request a variation of its compliance plan requirements and file information in support of its application to satisfy the Commission that it is in the public interest to vary its compliance plan as requested.
- (3) A compliance plan prepared under subsection 3(1) must include at least the following:
 - (a) A list of the distributor's affiliated providers.

- (b) A description of how the notice required by Section 34 of the *Code of Conduct Regulation* will be given to the public.
 - (c) A description of the procedure that may be used for the voluntary resolution of complaints about non-compliance with the *Code of Conduct Regulation* or the compliance plan.
- (4) The Commission may approve an application under subsection 3(2) if the Commission is satisfied that a variation of the compliance plan is in the public interest.
 - (5) If the Commission approves an application made under subsection 3(2), it may specify which compliance plan requirements apply to the regulated rate supplier and to the affiliated provider of a distributor or regulated supplier.

4 Non-compliance reporting

- (1) Each distributor, regulated rate supplier and affiliated provider of a distributor or regulated rate supplier shall file a compliance report with the Commission within 30 days of becoming aware of an incident of non-compliance with the *Code of Conduct Regulation* or its compliance plan.
- (2) A non-compliance report required under subsection 4(1) must include a description of:
 - (a) The non-compliance with the *Code of Conduct Regulation* or the compliance plan.
 - (b) The action taken to remedy any non-compliance.
 - (c) Any complaints of non-compliance with the *Code of Conduct Regulation* or the compliance plan received, and how the complaints have been dealt with.

5 Recovery of audit costs

- (1) An affiliated provider and each distributor or regulated rate supplier of which it is an affiliated provider must pay the costs and expenses of an audit conducted under Section 40 of the *Code of Conduct Regulation*.
- (2) The Commission shall invoice an affiliated provider and each distributor or regulated rate supplier of which it is an affiliated provider for the costs and expenses incurred from the audit and specify the amount due by the affiliated provider and each distributor or regulated rate provider.

- (3) The affiliated provider and each distributor or regulated rate supplier named in the invoice shall pay the amount indicated in the invoice within 30 days from the date of the invoice.

6 Audit exemptions

- (1) The Commission grants each of the following entities and its affiliated providers an exemption from an audit under Section 40(1) until the date specified in the table below:

Entity	Exempt until
Self-Operating REAs	
Lakeland R.E.A. Ltd.	March 31, 2020
North Parkland POWER R.E.A. Ltd.	March 31, 2020
Rocky R.E.A. Ltd. (Operating as Blue Mountain Power Co-op.)	March 31, 2020
Wild Rose R.E.A. Ltd.	March 31, 2020
Operating REAs	
Armena R.E.A. Ltd.	March 31, 2020
Borradaile R.E.A. Ltd.	March 31, 2020
Braes R.E.A. Ltd.	March 31, 2020
Claysmore R.E.A. Ltd.	March 31, 2020
Devonia R.E.A. Ltd.	March 31, 2020
Drayton Valley R.E.A. Ltd.	March 31, 2020
Duffield R.E.A. Ltd.	March 31, 2020
Heart River R.E.A. Ltd.	March 31, 2020
Lindale R.E.A. LTD.	March 31, 2020
Mackenzie R.E.A. Ltd.	March 31, 2020
Mayerthorpe & District REA Ltd.	March 31, 2020
Myrnam R.E.A. Ltd.	March 31, 2020
Niton R.E.A. Ltd.	March 31, 2020
Stony Plain R.E.A. Ltd.	March 31, 2020
West Liberty R.E.A. Ltd.	March 31, 2020
West Wetaskiwin R.E.A. Ltd.	March 31, 2020
Willingdon R.E.A. Ltd.	March 31, 2020
Zawale R.E.A. Ltd.	March 31, 2020
Distribution Utilities and Affiliates	
AltaGas Ltd.	March 31, 2020
AltaGas Utilities Inc.	March 31, 2020
ATCO Electric Distribution, a Division of ATCO Electric Ltd.	March 31, 2021
ATCO Energy Ltd.	March 31, 2021
ATCO Gas, a Division of ATCO Gas and Pipelines Ltd.	March 31, 2021

Direct Energy Partnership, a business unit of Direct Energy Marketing Limited	March 31, 2021
Direct Energy Regulated Services, a business unit of Direct Energy Marketing Limited	March 31, 2021
ENMAX Power Corporation	March 31, 2020
ENMAX Energy Corporation	March 31, 2020
EPCOR Utilities Inc.	March 31, 2021
FortisAlberta Inc.	March 31, 2020