

Step 5: Consultation and negotiation (if applicable)*

The Commission supports ongoing efforts to reach a positive outcome for the applicant and all affected parties. The Commission encourages the applicant and those who have filed submissions to continue to attempt to resolve any outstanding issues. If all concerns can be satisfactorily resolved this may eliminate the need for a formal hearing. However, if there continues to be unresolved issues, those matters will typically be addressed at an AUC hearing.

The Commission will issue a notice of hearing if a person or business with standing continues to have legitimate unresolved concerns with the application. The notice of hearing will provide a hearing date and location in addition to a process schedule. The AUC conducts public hearings in its hearing rooms in Edmonton and Calgary and, where suitable venues exist, in communities closer to the project area.

Step 6: The public hearing process*

The public hearing process provides an opportunity for those who have been unable to resolve their concerns with the applicant and have made a filing, to express their views directly to a panel of Commission members.

An AUC hearing is a formal, evidence-based, court-like proceeding. The public can attend the hearing in-person or listen in to hearings online through the AUC's website.

Participants in a hearing can either represent themselves or be represented by a lawyer. In addition, participants may hire experts to assist in preparing and presenting evidence to support their position.

Persons who hire a lawyer or technical experts must be aware that while reimbursement for the costs of legal and technical assistance is available under Rule 009, recovery of costs is subject to the Commission assessing the value of the contribution provided by the lawyer and technical experts. People with similar interests

and positions are expected to work together to ensure that any expenditures for legal or technical assistance are minimized and costs are not duplicated.

Step 7: The decision

The AUC generally issues a written decision approving, with or without conditions, or denying the application(s) that were considered in a hearing no more than 90 days after the hearing record is closed. AUC decision reports summarize the Commission's findings and explain its reasons for those findings.

All AUC decision reports are available to any member of the public on the Commission's website or by obtaining a printed copy from the AUC.

Step 8: Opportunity to appeal

A dissatisfied participant may file a permission to appeal in the Court of Appeal of Alberta within 30 days from the date the decision is issued.

An applicant or participant who is dissatisfied with the Commission's decision can request the Commission to review its decision within 60 days, from the date the decision is issued, as specified in Rule 016: *Review and Variance of Commission Decisions*, which outlines the limited grounds or review.

Step 9: Construction, operation and compliance

An applicant that receives approval to build and operate a facility from the Commission must adhere to any conditions that were set out in that approval. If concerns about compliance with approval conditions and post-construction operations cannot be resolved with the applicant, they can be brought to the AUC's attention for review.

*Opportunity for public involvement

The Alberta Utilities Commission is an independent, quasi-judicial agency of the government of Alberta that ensures the delivery of Alberta's utility service takes place in a manner that is fair, responsible and in the public interest.

The AUC regulates the utilities sector, natural gas and electricity market to protect social, economic and environmental interests of Alberta, where competitive market forces do not.

Contact information:

Phone: 310-4AUC (in Alberta)
1-833-511-4AUC (outside Alberta)
Email: info@auc.ab.ca

Information session

It is the AUC's goal to ensure that you understand its application and hearing processes, and your opportunities for involvement in proceedings to consider utility development applications. For those interested in having an AUC staff member further explain the review process for an application or answer questions you may have about your involvement in utility development proceedings, please contact us so that we can answer those questions directly or schedule a formal information session with you. The "Have your say about a utility project" page on the AUC's website will also provide you with further details which could assist you in understanding the process and having your say in a utility development proceeding.

This brochure provides general information about public involvement in needs and utility facilities applications before the AUC. Specific participation opportunities and requirements may differ depending on the type of application.



Public involvement in needs or facilities applications

The Alberta Utilities Commission is committed to ensuring that Albertans whose rights may be directly and adversely affected by a utility development project are informed of the application and have the opportunity to have their concerns heard, understood and considered. If you believe you may be directly or adversely affected, you can become involved in the AUC's application and review process.

Application process

Step 1: Public consultation prior to application

Step 2: Application filed to the AUC

Step 3: Public notice

Step 4: Public submissions to the AUC

Step 5: Consultation and negotiation

Step 6: The public hearing process

Step 7: The decision

Step 8: Opportunity to appeal

Step 9: Construction, operation and compliance

www.auc.ab.ca

The AUC's regulatory role in needs and facilities applications

The AUC uses an established process to review applications to protect social, economic and environmental interests of Alberta. It is also committed to ensuring that Albertans whose rights may be directly and adversely affected by a project have an opportunity to have their concerns heard, understood and considered.

Approvals from the AUC are required for the construction, operation, alteration and decommissioning of transmission lines and electric substations. These include:

- Approval of the need for transmission upgrades.
- Approval of the route and location of transmission facilities.

Sometimes a needs application is considered together with a facilities application in a single hearing; sometimes separate hearings may be held to consider each application. Approvals from the AUC are also required for power generation and gas utility pipeline facilities in Alberta.

Step 1: Public consultation prior to application*

Prior to filing an application with the AUC for the approval of a proposed utility development, the applicant must engage in a public consultation program in the area of the proposed project, so that concerns may be raised, addressed and if possible, resolved.

The application guidelines and requirements for facility applications can be found in Rule 007 and Rule 020.

Potentially affected parties are strongly encouraged to participate in the initial public consultation, as early involvement in discussions with an applicant may lead to greater influence on project planning and what is submitted to the AUC for approval.

The Alberta Electric System Operator will notify potentially affected stakeholders on the need for transmission development.

Step 2: Application filed to the AUC

When the participant involvement requirements have been completed, the applicant files its application with the AUC through the eFiling System.

The application is then reviewed to ensure the required information in the applicable Commission rules is included. If the required information is not provided, the AUC may choose to close the application or to request more information from the applicant.

*Opportunity for public involvement

In the application, considerations should be made for the issues which came up during the public consultation and amendments made to the proposal. Any unresolved objections or concerns which arise during the public consultation must be identified in the application.

Step 3: Public notice

The AUC generally issues a notice by mail directly to those who live, operate a business or occupy land in the project area who may be affected by the Commission's decision of the proposed project. The notice for larger facility projects with potentially greater impacts may also be published in local newspapers.

The notice will specify a submission deadline. The information required by this deadline is general in nature as outlined in Step 4. For those participating in the AUC review process, referred to as a proceeding, additional opportunities to provide evidence and additional information will arise after this deadline.

Step 4: Public submissions to the AUC*

Anyone with unresolved objections or concerns about the application can file a written submission to the AUC, preferably through the eFiling System, to have their concerns considered by the Commission before making a decision on the application. Your submission must include your contact information, where you reside or own property in relation to the proposed facility, your concern or interest in the application, an explanation of your position and what you feel the AUC should decide. Please be aware that any information and materials provided as part of an AUC

proceeding, except information granted confidentiality in advance, will become part of the public record and will be available through the eFiling System. While the AUC has the authority to treat some types of information as confidential, such treatment is rare and only available under limited circumstances to ensure that the AUC's process is open and transparent.

Based on what is filed, the Commission will determine if those who file submissions have demonstrated that they have rights that may be directly and adversely affected and, if so, give them "standing". Standing is the right to participate in the proceeding, which is the full review process and may include an oral hearing and is necessary to continue involvement as an intervener in the proceeding.

AUC eFiling System

The eFiling System is the tool that the AUC uses to manage applications and submissions in its proceeding-based review. The eFiling System gives access to all public documents associated with an application and is the way to provide your input to the AUC and monitor the related proceeding filings. Those who do not have access to the internet can send submissions, evidence and other material by mail or fax and the AUC will upload the submission on their behalf.

Cost assistance

A person determined by the Commission to be a local intervener, can apply for reimbursement of reasonable costs. Details regarding recovery of participants' costs are described in AUC Rule 009: *Rules on Local Intervener Costs*.