



Province of Alberta

AN ACT TO CAP REGULATED ELECTRICITY RATES

Statutes of Alberta, 2017
Chapter C-2.3

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

Regulations

The following is a list of the regulations made under the *Electric Utilities Act* that are filed as Alberta Regulations under the Regulations Act

Alta. Reg. *Amendments*

An Act to Cap Regulated Electricity Rates

Rate Cap (Board or Council Approved Regulated Rate Tariffs)	139/2017	257/2018, 199/2019
Rate Cap (City of Medicine Hat)	256/2017	258/2018, 199/2019
Rate Cap (Commission Approved Regulated Rate Tariffs)	138/2017	199/2019

AN ACT TO CAP REGULATED ELECTRICITY RATES

Chapter C-2.3

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HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Definitions

1 In this Act,

- (a) “Commission” means the Alberta Utilities Commission established by the *Alberta Utilities Commission Act*;
- (b) “electric energy charge”,
 - (i) with respect to an owner, means the electric energy charge required to be shown on the bill of a regulated rate customer under section 15(a) of the *Regulated Rate Option Regulation*, and
 - (ii) with respect to the City of Medicine Hat or a subsidiary of the City of Medicine Hat, means, subject to the regulations, the charge for which the City or subsidiary bills a customer that corresponds to the electric energy charge described in subclause (i);

- (c) “Market Surveillance Administrator” means the corporation continued by section 32 of the *Alberta Utilities Commission Act*;
- (d) “Minister” means the Minister of Energy;
- (e) “new RRO rate” means a new RRO rate as defined in the *Regulated Rate Option Regulation*;
- (f) “owner” means an owner as defined in the *Regulated Rate Option Regulation*;
- (g) “regulated rate customer” means a regulated rate customer as defined in the *Regulated Rate Option Regulation*;
- (h) “*Regulated Rate Option Regulation*” means the *Regulated Rate Option Regulation* (AR 262/2005).

Imposition of maximum rates

2(1) Notwithstanding any other enactment, during the period beginning on June 1, 2017, and ending on November 30, 2019, an owner whose regulated rate tariff is approved by the Commission pursuant to section 103(2) of the *Electric Utilities Act* shall determine the electric energy charge using

- (a) the applicable monthly rate per kWh determined in accordance with the owner’s new RRO rate energy price setting plan, or
- (b) the rate of 6.8 cents per kWh if that rate is lower than the rate referred to in clause (a).

(2) Notwithstanding any other enactment, during the period beginning on June 1, 2017, and ending on November 30, 2019, an owner whose regulated rate tariff is approved by the council of a municipality or the board of directors of a rural electrification association pursuant to section 103(3) or (4) of the *Electric Utilities Act* shall determine the electric energy charge using

- (a) the applicable monthly rate per kWh determined in accordance with the owner’s new RRO rate energy price setting plan, or
- (b) whichever of the following rates applies, if that rate is lower than the rate referred to in clause (a):
 - (i) the applicable rate per kWh, if any, provided for by regulations under section 6(1)(b);

- (ii) if no applicable rate is provided for by regulations under section 6(1)(b), the rate of 6.8 cents per kWh.

2017 cC-2.3 s2;2019 c18 s5

Medicine Hat

3 If regulations are made under section 6(1)(c), during the period beginning on a date specified by the regulations and ending on November 30, 2019, the City of Medicine Hat and a subsidiary of the City of Medicine Hat shall determine the electric energy charge for a customer within a rate class specified in the regulations using

- (a) the applicable rate per kWh determined by the council of the City of Medicine Hat, or
- (b) the applicable rate per kWh provided for by the regulations under section 6(1)(c) if that rate is lower than the rate referred to in clause (a).

2017 cC-2.3 s3;2019 c18 s5

Payments, reimbursements and adjustments

4 The Minister may, in accordance with the regulations, make payments to or reimburse or provide adjustments to an owner or the City of Medicine Hat or a subsidiary of the City of Medicine Hat in respect of the difference or part of the difference between

- (a) amounts the owner, City or subsidiary would charge if it determined electric energy charges in accordance with section 2(1)(a) or (2)(a) or 3(a), as the case may be, and
- (b) amounts the owner, City or subsidiary charges when it determines electric energy charges in accordance with section 2(1)(b) or (2)(b) or 3(b), as the case may be, instead.

Operation of the Electric Utilities Act

5 Nothing in this Act or the regulations affects the operation of the *Electric Utilities Act* or the regulations under that Act except to provide for maximum rates that may be charged to regulated rate customers or to certain customers of the City of Medicine Hat or a subsidiary of the City of Medicine Hat and to authorize payments, reimbursements and adjustments under section 4, and in particular, without limiting the generality of the foregoing,

- (a) nothing in this Act or the regulations affects the duties of owners of electric distribution systems under section 103 of the *Electric Utilities Act*, including the duty of owners to prepare regulated rate tariffs for the purpose of recovering the prudent costs of providing electricity services to eligible customers, and

- (b) nothing in this Act or the regulations is intended to affect a new RRO rate energy price setting plan approved as part of an owner's regulated rate tariff in accordance with the *Regulated Rate Option Regulation*, whether approved before or after the coming into force of this section.

Regulations

6(1) The Minister may make regulations

- (a) defining any word or expression used but not defined in this Act and further defining or redefining "electric energy charge" for the purposes of section 1(b)(ii);
- (b) determining or providing for mechanisms for determining one or more rates per kWh for the purposes of section 2(2)(b)(i) and determining the rate, if any, that applies to a particular owner or rate class of a particular owner;
- (c) specifying a date and specifying rate classes for the purposes of section 3 and determining or providing for mechanisms for determining the rate per kWh that applies to the City of Medicine Hat or a subsidiary of the City of Medicine Hat or to a particular rate class of the City or subsidiary for the purposes of section 3(b);
- (d) respecting the making of payments, and the provision of reimbursements and adjustments, under section 4
 - (i) to owners whose regulated rate tariffs are approved by the Commission pursuant to section 103(2) of the *Electric Utilities Act*,
 - (ii) to owners whose regulated rate tariffs are approved by the council of a municipality or the board of directors of a rural electrification association pursuant to section 103(3) or (4) of the *Electric Utilities Act*, and
 - (iii) to the City of Medicine Hat or a subsidiary of the City of Medicine Hat,including, without limitation, regulations
- (iv) respecting eligibility criteria for payments, reimbursements and adjustments,
- (v) providing for mechanisms for determining the amounts of payments, reimbursements and adjustments,

- (vi) respecting the manner in which payments, reimbursements and adjustments will be provided, and
 - (vii) respecting the use of deferral accounts for the purposes of payments, reimbursements and adjustments;
 - (e) respecting information, including personal information of customers, to be provided by owners, the City of Medicine Hat and a subsidiary of the City of Medicine Hat to the Commission, the Market Surveillance Administrator or the Minister for the purposes of this Act;
 - (f) adding to, clarifying, limiting or restricting any powers, duties or functions of the Commission or the Market Surveillance Administrator as the Minister considers necessary or advisable to enable the Commission or the Market Surveillance Administrator to exercise powers, duties or functions for the purposes of this Act;
 - (g) respecting any matter or thing that the Minister considers necessary to carry out the purposes of this Act.
- (2) Regulations under section 6(1)(d) may be specific or general in their application.
- (3) A regulation made under this Act is, if it so provides, effective with reference to a period before it was made but not before June 1, 2017.

7 *(This section amends other Acts; the amendments have been incorporated into those Act.)*

Repeal

7.1 This Act is repealed on Proclamation.

2019 c18 s5

Coming into force

8 Sections 2(2), 3 and 6(1)(c) and (d)(iii) come into force on Proclamation.

(NOTE: Section 2(2) proclaimed in force July 12, 2017. Sections 3 and 6(1)(c) and (d)(iii) proclaimed in force January 1, 2018.)



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