



Province of Alberta

ELECTRIC UTILITIES ACT

ROLES, RELATIONSHIPS AND RESPONSIBILITIES REGULATION, 2003

Alberta Regulation 169/2003

With amendments up to and including Alberta Regulation 82/2021

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(Consolidated up to 82/2021)

ALBERTA REGULATION 169/2003

Electric Utilities Act

**ROLES, RELATIONSHIPS AND RESPONSIBILITIES
REGULATION, 2003**

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Definitions

1 In this Regulation,

(a) “Act” means the *Electric Utilities Act*;

- (b) “default supplier” means a retailer appointed as a default supplier by an owner under section 3(1);
- (c) “eligible customer” means an eligible customer as defined in the *Regulated Default Supply Regulation*;
- (d) “owner” means the owner of an electric distribution system.

Part 1

Obligations of Owners, Default Suppliers and Customers

Redirection of inquiries

2(1) An owner must do the following:

- (a) if a customer makes an inquiry related to the functions of retailers, direct the customer to the customer’s retailer;
- (b) on the request of a customer, direct the customer to a source where the customer may obtain the current list of licensed retailers maintained in accordance with the *Consumer Protection Act* and the regulations made under that Act;
- (c) distribute public safety information.

(2) A retailer must do the following:

- (a) if a customer makes an inquiry related to the functions of owners, direct the customer to the owner in whose service area the customer resides;
- (b) acquire electric energy associated with electric distribution system losses.

(3) A duty referred to subsection (1) or (2)(a) must be carried out in a prompt and efficient manner.

(4) If the circumstances may present a danger to public safety, the duty referred to in subsection (2)(a) must be carried out immediately.

AR 169/2003;56/2019

Default supplier

3(1) An owner must appoint one or more retailers as default suppliers.

- (2)** A default supplier must provide retail electricity services to a customer that is not an eligible customer in the following circumstances:
- (a) the customer is unable to continue to purchase retail electricity services from the customer's retailer for any reason;
 - (b) the customer is unable to obtain retail electricity services for any reason.
- (3)** When an owner becomes aware that an event described in subsection (2) has occurred, the owner must notify the customer
- (a) of the name of the default supplier that will provide retail electricity services to the customer, and
 - (b) of the terms and conditions of service of the default supplier.
- (4)** Subsection (3) does not preclude an owner from delegating the duty referred to in that subsection to a default supplier appointed under subsection (1).
- (5)** If before a default supplier begins providing retail electricity services to a customer under this section the default supplier is notified that arrangements have been made for the customer to purchase retail electricity services from a retailer, the default supplier must not provide retail electricity services to that customer under this section.
- (6)** A customer purchasing retail electricity services from a default supplier must comply with any terms and conditions of service of that supplier.
- (7)** A default supplier must not, after it begins to provide retail electricity services to a customer under this section,
- (a) require the customer to provide more than 30 days' notice requesting that supplier to discontinue retail electricity services to that customer, or
 - (b) impose on the customer providing the minimum notice required by the supplier's terms and conditions of service any penalty for requesting discontinuance of retail electricity services from that supplier.
- (8)** A default supplier must
- (a) file with the Commission for information the charge or charges that customers of the supplier must pay for retail

electricity services provided by the supplier and the terms and conditions of service of the supplier, and

- (b) publish in a manner and form accessible to the public a notice of the charge or charges that customers of the supplier must pay for retail electricity services provided by the supplier and the terms and conditions of service of the supplier.

AR 169/2003 s3;265/2007

Interconnected electric distribution systems

4 Except where a customer has entered into an arrangement directly with the Independent System Operator pursuant to section 101(2) of the Act, an owner whose electric distribution system is directly connected to the transmission system is responsible for arranging for the provision of system access service for all other electric distribution systems interconnected with that owner's electric distribution system.

Information to be provided

5(1) For the purposes of monitoring the development of retail competition, the Minister or the Minister's delegate may request a retailer to provide information relating to that retailer's business including information relating to the retailer's business before any of the functions referred to in section 111 of the Act are carried out.

(2) A retailer must provide the information requested under subsection (1).

6 Repealed AR 265/2007 s3.

Owner as retailer

6.1(1) An owner that is a rural electrification association may carry out for its members any function that is required or permitted by the Act or the regulations under the Act to be carried out by a retailer.

(2) Where a rural electrification association carries out functions under subsection (1), it must comply with all enactments governing the carrying out of those functions by retailers.

AR 108/2005 s2

Part 2

Integrated Operation of Electric Distribution Systems

Definitions

7 In this Part,

- (a) “integrated operation agreement” means an agreement between owners respecting the integrated operation of their electric distribution systems in a single geographic region;
- (b) “rural electrification association” means an association incorporated or continued under the *Rural Utilities Act*.
AR 169/2003 s7;315/2003

Application

8 This Part applies to integrated operation agreements and the parties to those agreements.

AR 169/2003 s8;315/2003

Obligations to complete new agreements

9(1) Before the expiry of the term or any renewal term of an integrated operation agreement, the parties to that agreement must

- (a) agree on the terms of a new integrated operation agreement or agree that the terms of the then existing agreement are to continue, with or without amendment, or
- (b) conduct themselves so as to ensure that, before the expiry of the term of the then existing agreement, arbitration proceedings are commenced and a hearing is held and concluded in order to permit an award to be issued establishing the terms of a new integrated operation agreement between the owners.

(2) If the terms of a new integrated operation agreement have not been concluded 6 months before the expiry of the term or any renewal term of the agreement, or such longer period before the expiry as is agreed by the parties, the owners jointly, or either one of them, must refer the question of the terms of a new integrated operation agreement between them to arbitration under the *Arbitration Act*.

(3) If one of the parties to a matter referred to arbitration under subsection (2) is a rural electrification association, the arbitrator is responsible for issuing an award deciding the terms of a new integrated operating agreement between the owners as follows:

- (a) the arbitrator must include in the terms of the agreement anything agreed to by the owners before the award is issued;
 - (b) repealed AR 25/2004 s2;
 - (c) the arbitrator must decide the remaining terms of the agreement, whether or not those contested terms are in the then existing agreement.
- (4) Repealed AR 25/2004 s2.
- (5) An arbitration award of a matter referred to arbitration under subsection (2) must
- (a) be issued on or before the expiry of the then existing integrated operation agreement, or the renewal term of that agreement, or
 - (b) be issued before any later date agreed to by the parties
- to take effect on the expiry of the term or renewal term of the agreement.
- (6) After an arbitration award is issued, the parties may, by written agreement, amend the integrated operating agreement that is the subject of the arbitrator's award.

AR 169/2003 s9;25/2004

Interpretation of "members"

10(1) If one of the parties to an integrated operating agreement is a rural electrification association, either party to the agreement may refer to arbitration under the *Arbitration Act* either or both of the following:

- (a) a question of interpretation about a provision of the agreement respecting the criteria, eligibility, conditions or qualifications for membership in, and cessation or termination of membership in, the rural electrification association;
 - (b) whether a person, under the provisions of the agreement, is or is not a member of the rural electrification association.
- (2) In making an award under subsection (1), the arbitrator may only
- (a) interpret the meaning of the provisions of the agreement that are the subject of the arbitration, and

- (b) apply the provisions of the agreement to the question to be decided.

AR 169/2003 s10;25/2004

Overriding application of this Part

11(1) This Part applies despite any agreement between owners to the contrary and irrespective of

- (a) whether that agreement was entered into before or after the coming into force of this Regulation, and
- (b) whether or not any contrary agreement is included in the integrated operation agreement.

(2) This Part prevails in the event of any conflict or uncertainty between the provisions of this Part and

- (a) an agreement between the parties to the arbitration, or
- (b) the *Arbitration Act*.

AR 169/2003 s11;315/2003

Existing arbitration proceedings protected

12(1) Subject to subsection (2), this Part does not apply to or affect an integrated operation agreement in respect of which a notice to arbitrate has been served about new terms of the agreement, or any arbitration proceeding that has been commenced, before the coming into force of this Regulation.

(2) This Part applies to the agreements and owners to which subsection (1) applies after the new or amended integrated operation agreement is made, or an arbitration award resulting from the arbitration proceedings referred to in subsection (1) is issued, as the case may be.

AR 169/2003 s12;315/2003

Part 3

Transitional Provisions, Repeal, Expiry and Coming into Force

13 Repealed AR 265/2007 s4.

Repeal

14 The *Roles, Relationships and Responsibilities Regulation* (AR 86/2000) is repealed.

AR 169/2003 s14;265/2007

Expiry

15 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on April 30, 2031.

AR 169/2003 s15;224/2012;11/2018;82/2021

Coming into force

16 This Regulation comes into force on the coming into force of Parts 1 to 10 of the *Electric Utilities Act*, SA 2003 cE-5.1.



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