

Notice of application

The Balancing Pool has filed an application for a general order permitting the sharing of records not available to the public between the Balancing Pool, URICA Energy Real Time Ltd. and a small power producer

Proceeding 26308
Application 26308-A001

The Alberta Utilities Commission, the independent utilities regulator, in accordance with Section 3(5)(a) of the *Fair, Efficient and Open Competition Regulation*, must publish notice of an application filed pursuant to Section 3(3) of the *Fair, Efficient and Open Competition Regulation*.

Background and nature of the application

On February 9, 2021, the Balancing Pool filed an application with the Commission pursuant to Section 3 of the *Fair, Efficient and Open Competition Regulation*. The application is seeking a general order for all forthcoming cases regarding the sharing of records not available to the public between the Balancing Pool, URICA Energy Real Time Ltd., and a small power producer.

In its application, the Balancing Pool submitted that under Section 7 of the *Small Scale Generation Regulation*, it has a statutory obligation to act as the electricity market participant for a small scale power producer in relation to a qualified small scale generating unit. While individual power producers can choose not to have the Balancing Pool act on their behalf, the Balancing Pool must accept this role if requested. Because this duty is outlined in the *Small Scale Generation Regulation*, and a regulation qualifies as an enactment according to the *Interpretation Act*, the Balancing Pool has submitted that its arrangements with small power producers qualify for an exception to otherwise prohibited sharing of records not available to the public, under Subsection 3(2)(e) of the *Fair, Efficient and Open Competition Regulation*.

The Balancing Pool does not have the personnel or the necessary expertise to accept energy or ancillary services dispatch orders in order to manage the output of any small scale power producers who request its services in the Alberta energy and ancillary services markets on a 24-hour basis.

URICA provides a 24-hour real-time dispatch-desk service to clients for operational energy market services, ancillary services, dispatch-down services and energy restatements for events at

generators as required by the independent system operator rules. The Balancing Pool has entered into commercial arrangements with URICA, which, among other things, appoint URICA as an agent of the Balancing Pool to provide advisory and real-time dispatch and restatement services with respect to the small power producers. The Balancing Pool has submitted that, because URICA has been retained to comply with the Balancing Pool's statutory obligation under the *Small Scale Generation Regulation*, the exception within Section 3(2)(e) of the *Fair, Efficient and Open Competition Regulation* applies and, as a result, orders are not required for these cases.

Relief requested

The Balancing Pool seeks a master order from the Commission stating that the sharing of non-public records, including energy prices, volume pairs and available capability, between the Balancing Pool, URICA, and a small scale power producer does not require an order from the Commission under Section 3 of the *Fair, Efficient and Open Competition Regulation*. Alternatively, if the Commission decides that an order is required, the Balancing Pool requests a master order pertaining to all forthcoming arrangements with small power producers.

Hearing and parties to the proceeding

Upon receipt of an application, Section 3(5) of the *Fair, Efficient and Open Competition Regulation* requires the Commission to publish notice of the application and hold, in private, a hearing or other proceeding involving the market participant that filed the application and the Market Surveillance Administrator (MSA), if the MSA chooses to participate in the hearing or other proceeding. Accordingly, the parties in this proceeding will be limited to the Balancing Pool and the MSA, if the MSA chooses to participate in the proceeding.

A copy of the application is filed with the Commission by the Balancing Pool, and is not available to the public.

Publicly available information regarding this proceeding is available through the AUC website at www.auc.ab.ca by logging in to the eFiling System and entering Proceeding 26308. To receive notification about this proceeding, please ensure you are registered as an observer in this proceeding.

Intervention in the proceeding

If the MSA wishes to intervene in this proceeding, it must submit a statement of intent to participate to the Commission by the participation deadline of **4 p.m., March 9, 2021**.

The submission should provide an indication as to whether the MSA supports or objects to the application and the supporting rationale. The information provided should also indicate whether the MSA requires an evidentiary process including information requests and filing of evidence. If the MSA is represented by another party, the contact information for the representative should be included.

If you have any questions with respect to this application, please contact Joanna Wright at 403-592-4379, or by email at joanna.wright@auc.ab.ca.

Issued February 23, 2021.

Alberta Utilities Commission