

March 1, 2021

To: Parties currently registered in Proceeding 26221

**TERIC Power Ltd.  
eReserve3 Battery Energy Storage Project  
Proceeding 26221  
Application 26221-A001**

### **Ruling on standing and further process**

1. In this ruling, the Alberta Utilities Commission decides whether to hold a hearing to consider an application by TERIC Power Ltd. relating to a battery storage project.
2. The Commission must hold a hearing if persons who have filed a statement of intent to participate in Proceeding 26221 have demonstrated that they have rights that may be “directly and adversely affected” by the Commission’s decision. Such a person may participate fully in the hearing, including giving evidence, questioning of witnesses, and providing argument. This permission to participate is referred to as standing.
3. The Commission issued a notice of application on January 18, 2021. The Commission received a statement of intent to participate from the Hennigars.
4. The Commission has authorized me to communicate its decision on standing.

### **Ruling**

5. The Commission is satisfied that Norman, Ross and Lindsey Hennigar have demonstrated that they have legal rights that may be directly and adversely affected by the Commission’s decision on the application. They own land in close proximity to the proposed project and have demonstrated that the Commission’s decision on the application has the potential to result in a direct and adverse effect on them. The primary effects described by the Hennigars relate to the potential health and safety effects of the project.

### **Costs eligibility**

6. The Hennigars are eligible to potentially recover the costs of their participation in this proceeding, as they fall within the definition of “local intervener” in Section 22 of the *Alberta Utilities Commission Act*. Rule 009: *Rules on Local Intervener Costs* applies to costs claims for this proceeding.
7. The Commission emphasizes that eligibility to claim costs does not guarantee full recovery of those costs. Any claims for costs must be filed after this proceeding is concluded, in accordance with Rule 009, and cost recovery is subject to the Commission assessing the value of parties’ contribution to the proceeding.

### Next steps

8. Due to the scope of the Hennigars' concerns and ongoing COVID-19 restrictions, the Commission has decided to hold a written hearing and has scheduled the following process steps for its consideration of the application.

Process step	Due date
Intervener information requests (IRs) to applicant	March 12, 2021
Applicant IR responses	March 19, 2021
Intervener written evidence	March 31, 2021
IRs to intervener	April 9, 2021
Intervener IR responses	April 16, 2021
Applicant's written reply evidence	April 23, 2021
Written final argument from intervener and applicant	April 30, 2021
Written reply argument from intervener and applicant	May 7, 2021

9. Should you have any questions about the matters addressed in this letter, please contact the undersigned at 403-592-4385 or by email at [kim.macnab@auc.ab.ca](mailto:kim.macnab@auc.ab.ca).

Yours truly,

Kim Macnab  
Commission Counsel