



Battle River Power Coop

Code of Conduct Compliance Plan Amendments

July 21, 2021

Alberta Utilities Commission

Decision 26462-D01-2021

Battle River Power Coop

Code of Conduct Compliance Plan Amendments

Proceeding 26462

Application 26462-A001

July 21, 2021

Published by the:

Alberta Utilities Commission

Eau Claire Tower

1400, 600 Third Avenue S.W.

Calgary, Alberta T2P 0G5

Telephone: 310-4AUC (310-4282 in Alberta)

1-833-511-4AUC (1-833-511-4282 outside Alberta)

Email: info@auc.ab.ca

Website: www.auc.ab.ca

The Commission may, within 60 days of the date of this decision and without notice, correct typographical, spelling and calculation errors and other similar types of errors and post the corrected decision on its website.

Contents

1	Introduction.....	1
2	Background	1
3	Findings.....	2
4	Order	3

1 Introduction

1. Battle River Power Coop filed an application with the Alberta Utilities Commission on April 13, 2021, requesting approval of changes to its *Electric Utilities Act Code of Conduct Regulation* Compliance Plan (Compliance Plan), pursuant to Section 32 of the *Code of Conduct Regulation*.¹

2. The Commission issued a notice of application on April 20, 2021, asking for statements of intent to participate by May 4, 2021. No submissions were received by the deadline. The Commission considers the record of this proceeding to have closed on May 4, 2021.

3. In reaching the determinations contained within this decision, the Commission has considered all relevant materials comprising the record of this proceeding. Accordingly, references in this decision to specific parts of the record are intended to assist the reader in understanding the Commission's reasoning relating to a particular matter and should not be taken as an indication that the Commission did not consider all relevant portions of the record with respect to that matter.

2 Background

4. Subsection 32(2) of the *Code of Conduct Regulation* states:

A change to a compliance plan must be submitted to the Commission for approval

- (a) within 60 days following a change in circumstances or an amendment to this Regulation that requires a change to a compliance plan, or
- (b) as soon as practicable when a change to the plan is made for a reason other than a reason referred to in clause (a).

5. Effective November 12, 2020, the *Code of Conduct Regulation* was amended to remove or update the following required sections from utilities' *Code of Conduct Regulation* compliance plans:

- (a) Section 8 (Meetings between distributors or regulated rate suppliers and retailers and customers);
- (b) Section 25 (Records and accounts);
- (c) Section 26 (Written financial transactions);

¹ Alberta Regulation 58/2015, as amended.

- (d) Section 27 (Records of transactions for goods and services);
- (e) Section 28 (Maintaining records); and
- (f) Section 33 (Quarterly and annual compliance reports) was also edited to remove quarterly reporting requirements.

6. Pursuant to Subsection 32(2) of the *Code of Conduct Regulation*, Battle River Power Coop seeks approval of changes to its Compliance Plan to reflect the November 12, 2020 amendments to that regulation. Its proposed Compliance Plan was filed with the application in both a blackline and clean version.

3 Commission findings

7. Section 32(3) of the *Code of Conduct Regulation* states:

On receipt of a proposed change to a compliance plan, the Commission may:

- (a) approve the proposed change, with or without changes and with or without conditions,
- (b) direct other changes to be made to the compliance plan, or
- (c) refuse to approve the proposed change.

8. Subject to the limitation expressed below, the Commission is satisfied that the proposed changes to the Compliance Plan, are consistent with continued compliance with, and sufficiently address the requirements of, the *Code of Conduct Regulation*.

9. However, the Compliance Plan contains no provision for the creation and retention of the records required for the Commission to carry out its future audits, as required under Section 40 of the *Code of Conduct Regulation*. Accordingly, the Commission directs Battle River Power Coop to include the following text in *Part 4 Compliance Requirements* under *Division 3 Compliance Audit*, of its Compliance Plan after the policy statement in Section 40.0 "Audit:"

Battle River Power Coop will retain all code of conduct compliance records listed under Appendix A to its *Electric Utilities Act Code of Conduct Regulation* Compliance Plan for at least three years. The Commission may amend Appendix A from time to time on notice and absent a registered objection, the proposed changes to the appendix will take effect within 10 business days from the date of the notice.

10. The code of conduct compliance records to be listed under Appendix A to the Compliance Plan, are as follows:

- (a) Internal reporting documents including Board meeting minutes and compliance reports to Board;
- (b) Training materials;
- (c) Record of training;

- (d) Compliance acknowledgements;
- (e) On-boarding / off-boarding processes and documentation;
- (f) Record of employee transfers;
- (g) Employee / contractor listing;
- (h) Customer consent to disclose information;
- (i) Customer enrollment records;
- (j) Promotional materials;
- (k) IT security reports including system access rights reports and documentation of system changes, if any;
- (l) Agreements and contracts;
- (m) Record of cost allocation and transactions between regulated and unregulated business units, divisions, or affiliated entities; and
- (n) Audited financial statements including annual financial statement audit report.

11. The Compliance Plan, with the above directed changes, is to be filed under Direction 26462-D01-2021-0001 by July 31, 2021.

4 Order

12. It is hereby ordered that:

- (1) The Battle River Power Coop *Electric Utilities Act Code of Conduct Regulation* Compliance Plan is approved with the changes directed by the Commission in this decision, effective August 1, 2021.

Dated on July 21, 2021.

Alberta Utilities Commission

(original signed by)

Carolyn Hutniak
Commission Member