



THE CITY OF RED DEER
ELECTRIC LIGHT & POWER DEPARTMENT

Compliance Plan to *Code of Conduct Regulation*

March 1, 2019

City of Red Deer Electric Light & Power Department Code of Conduct Regulation Compliance Plan

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CITY OF RED DEER ELECTRIC LIGHT & POWER DEPARTMENT

Code of Conduct Regulation Compliance Plan

Purpose

The City of Red Deer (“The City”) owns and operates an electric distribution system in Alberta within the service territory granted to it under order of the Alberta Utilities Commission (AUC) and its predecessors. The City is the Owner of an electric distribution system (The “Distributor”) under the Electric Utilities Act S.A. 2003, c.E-51 (the “EUA”) and provides regulated energy services as defined in the Code of Conduct Regulation, Alta. Reg. 58/2015 (the “Regulation”). In its capacity as an Owner, The City provides regulated electric distribution services to customers and does not directly provide retail electricity services, regulated rate service or default retail supply services to customers. The City is, under the EUA, responsible for arranging for the provision of the regulated rate tariff and the appointment of a default supplier to its customers and has authorized Enmax Energy Corporation (EEC) as an Affiliated Provider to provide such services to its electricity distribution service customers. The City is not corporately affiliated with EEC or any of EEC’s corporate affiliates or related entities.

The Electric Light & Power Department of The City (“Department”) may enter, or has already entered, into contractual arrangements with contractors to provide a variety of services. Refer to the chart “City of Red Deer & Contractor Business Functions” attached as Appendix 1, which outlines the current functions handled by the Department or by contractual agreement and denotes the Department’s Affiliated Provider. The Department requires the contractors to abide by the Code and all other relevant laws in respect of the services contracted. In addition to EEC, current contractors are Enmax Power Corporation (EPC), Dataco Utility Services (Dataco) and Big Sky Call Centers Inc. (Big Sky).

Under Section 30(1)(a), The City, as a distributor, is required to prepare a Compliance Plan setting out the systems, policies and mechanisms that it intends to use to ensure compliance with the Regulation and file such plan with the AUC.

The purpose of this Compliance Plan is to establish the systems, policies, and mechanisms that The City will use to ensure compliance with the Regulation by The City’s officers, employees, and contractors. Contraventions of the Compliance Plan by individuals may result in disciplinary action, up to and including, termination of employment of contract with The City.

This Compliance Plan describes certain obligations and responsibilities of specified management personnel of The City. Notwithstanding this, and without otherwise reducing or eliminating the obligation and responsibility of the specified management personnel of The City to ensure any specific requirements of this Compliance Plan are satisfied, it is understood that all or a portion of the tasks described in this Compliance Plan may be delegated by the specified management personnel of The City to other personnel of The City.

Upon approval, the plan will be in effect until the expiry of the period prescribed by the AUC or until the Plan is revoked by the AUC, whichever occurs first.

Questions or comments concerning the Compliance Plan should be directed to ELPcodeofconduct@reddeer.ca. This information and a copy Compliance Plan is available at www.reddeer.ca.

The numbering used in the Compliance Plan is consistent with the numbering used in the Regulation.

Part 1 Interpretation

1.0 Definitions

Capitalized words and phrases used in the Compliance Plan shall have the meanings set out in the Regulation and the Compliance Plan. In the event of any inconsistency in the definitions between the Regulation and the Compliance Plan, the Regulation definitions will prevail.

1. **Annual Compliance Report** contains:
 - any non-compliance with the Regulation or the Compliance Plan;
 - the action taken to remedy the non-compliance;
 - any complaints of non-compliance with the Regulation or the Compliance Plan, and how the complaints have been addressed.
2. **AUC** means the Alberta Utilities Commission.
3. **AUC Rule 010** means AUC Rule 010: *Rules on Standards for Requesting and Exchanging Site-Specific Historic Usage Information for Retail Electricity and Natural Gas Markets Rules*.
4. **AUC Rule 030** means AUC Rule 030: *Compliance with the Code of Conduct Regulation*.
5. **Compliance Plan Committee** means a committee composed of at least one personnel from the following areas:
 - EL&P Department Manager (Compliance Officer);
 - Regulatory;
 - Metering and Market Support.
6. **Compliance Report** contains:
 - any non-compliance with the Regulation or the Compliance Plan;
 - the action taken to remedy the non-compliance; and
 - any complaints of non-compliance with the Regulation or the Compliance Plan, and how the complaints have been addressed.
7. **Department** means the Electric Light & Power Department of The City acting as The City's Wires Services Provider as defined in the EUA and includes a person or agent authorize to act on its behalf.
8. **UCA** means the Utilities Consumer Advocate.

2.0 Affiliated electricity retailer and affiliated gas retailer defined

Retained for Numbering Consistency

Part 2 Conduct and Business Practices

3.0 Conduct

Policy: The Department officers, employees, and contractors (EEC, EPC, Dataco, Big Sky) will conduct themselves and their activities so as to comply with and to ensure compliance with the Regulation and the Compliance Plan.

Mechanisms

1. The Department Manager will identify the employees to be trained on the requirements of the Regulation and the Plan.
2. Annually, the Department Manager will ensure that an appropriate training plan is in place. The Department Manager will confirm the identified employees have received the training upon their commencement of employment and annually thereafter. Employees will acknowledge in writing that such training has occurred and the requirements are understood.
3. The Department will require a compliance acknowledgement upon commencement of their relationship with the Department and annually thereafter, that applicable contractors (**EEC, EPC, Dataco, Big Sky**) have either conducted their own training as required by their AUC approved plan, if they have one, or have received the Department's training material.
4. Contractors (**EEC, EPC, Dataco, Big Sky**) will be required to provide notification to the Department immediately upon the discovery of any instances of non-compliance.

Division 1 Customers

4.0 Tying prohibited

Policy: The Department will not require or induce Customers to acquire goods or services from its Affiliated Provider or any other Retailer by making or appearing to make Regulated Energy Services conditional on the acquisition of those goods or services.

Mechanisms

1. The Department Manager will: identify the employees to be trained on the requirements of this section; annually ensure that an appropriate training plan is in place; and confirm that the identified employees have received training at the commencement of employment and annually thereafter. Employees will acknowledge that the training has been completed and is understood at each occasion. Contractors, including EEC, EPC, Dataco and Big Sky, will provide a compliance acknowledgement at the commencement of their contract and annually thereafter that they have completed training as required in this Compliance Plan.

2. The Department Manager will ensure that its' website clearly states that customers can choose any Retailer, that electricity delivery is not affected by choice of Retailer, and that the current list of Retailers is available on the UCA website or by calling the UCA's telephone number.
3. The Department will maintain a stock of any available educational materials from the UCA and will provide them to the public at any general public engagement events in which The Department participates.

5.0 Transfer of customers

Policy: The Department will not, without the Customer's consent, transfer the Customer to a Retailer or Retail Energy Services tariff.

Mechanisms

1. The enrollment process is wholly managed by a contractor, EPC, who must comply with AUC Rule 021, any other applicable regulation and by their AUC approved Compliance Plan.
2. The Department will require a compliance acknowledgement from EPC.

6.0 Prohibited representations

Policy: The Department will not represent or imply in any way in communications with Customers or the public, that present or future Customers of the Affiliated Provider will receive treatment from The Department that is different from the treatment received by present or future Customers of other Retailers.

Mechanisms

1. The Department Manager will: identify the employees to be trained on the requirements of this section; annually ensure that an appropriate training plan is in place; and confirm that the identified employees have received training at the commencement of employment and annually thereafter. Employees will acknowledge that the training has been completed and is understood at each occasion. Contractors, including EEC, EPC, Dataco and Big Sky, will provide a compliance acknowledgement at the commencement of their contract and annually thereafter that they have completed training as required in this Compliance Plan.
2. The Department will ensure that its' website clearly states that customers can choose any Retailer, that electricity delivery is not affected by choice of Retailer, and that the current list of Retailers is available on the UCA website or by calling the UCA directly.

7.0 Advertising

Policy: The Department and the Affiliated Provider have distinct logos that clearly show they are separate entities.

Mechanisms

1. None required.

8.0 Meetings between distributors or regulated rate suppliers with retailers and customers

Policy: The Department will make reasonable efforts to be equally available to all Retailers for joint meetings with Retailers and Retailer's Customers to meet the requirements in accordance with the Regulation.

Mechanisms

1. The Department will maintain a page on its' website to provide information for retailers of current procedures and contractors managing retailer activities.
2. If the Department receives a request for a meeting with a retailer and customer, the meeting will be scheduled within 15 business days, subject to the schedule of all attending parties.
3. The Department will maintain a record of all joint meetings and associated correspondence with the Retailer and the Retailer's customers. The record will be maintained for not less than seven (7) years.

**Division 2
Customer Information**

9.0 Confidentiality of Customer Information

Policy: The Department will protect the confidentiality of Customer Information and not disclose Customer Information except in accordance with the Regulation.

Mechanisms

1. The Department Manager will: identify the employees to be trained on the requirements of this section; annually ensure that an appropriate training plan is in place; and confirm that the identified employees have received training at the commencement of employment and annually thereafter. Employees will acknowledge that the training has been completed and is understood at each occasion. Contractors, including EEC, EPC, Dataco and Big Sky, will provide a compliance acknowledgement at the commencement of their contract and annually thereafter that they have completed training as required in this Compliance Plan.
2. The Department will only disclose Customer Information after the customer has executed and submitted a Non-Retailer Authorization Form, which is available at www.reddeer.ca/elp, and will only disclose it to the customer or a person authorized to receive the information by way of the form.

3. The Department will ensure that Customer Information is only disclosed to a Retailer that has executed and submitted a Representation and Warranty Agreement by reviewing the list of allowed retailers on a monthly basis and notifying the contractor upon execution of any new agreement.
4. The privacy policy is posted on www.reddeer.ca.
5. As a municipal body, Customer Information is handled in accordance with the requirements of all applicable acts and regulations, including the Freedom of Information and Protection of Privacy Act, and the Code of Conduct Regulation and all municipal employees sign a confidentiality undertaking upon commencement of their employment.
6. The Department's contracts for services include provisions to protect the confidentiality of Customer Information. Where the Department shares or is using information systems maintained by contractors (EEC, EPC) that have an AUC-approved Compliance Plan, the Department will rely upon the Compliance Plan of EEC and EPC to ensure that access to information is handled in accordance with the Regulation.

10.0 Disclosure of Customer Information

Policy: The Department or contractor (EPC) will only disclose Customer Information in accordance with the Regulation.

Mechanisms

1. The Department Manager will: identify the employees to be trained on the requirements of this section; annually ensure that an appropriate training plan is in place; and confirm that the identified employees have received training at the commencement of employment and annually thereafter. Employees will acknowledge that the training has been completed and is understood at each occasion. Contractors, including EEC, EPC, Dataco and Big Sky, will provide a compliance acknowledgement at the commencement of their contract and annually thereafter that they have completed training as required in this Compliance Plan.
2. The Department will only disclose Customer Information, after the customer has executed and submitted a Non –Retailer Authorization Form, which is available at www.reddeer.ca/elp and will only disclose it to the customer or a person authorized by the customer to receive the information by way of the form.
3. The Department will ensure that Customer Information is only disclosed to a Retailer that has executed and submitted a Representation and Warranty Agreement by reviewing the list of allowed retailers on a monthly basis and notifying the contractor upon execution of any new agreement.

11.0 Conditions on disclosure of Customer Information

Policy: The Department or contractor (EPC) will only disclose Customer Information to a Retailer or Retailers in accordance with the Regulation.

Mechanisms

1. The Department or contractor (EPC) will only disclose Customer Information if permitted by the Regulation, other legislation or after the Customer has provided consent.
2. Upon receiving a valid request for Customer Information the Department will disclose the information within seven days, in the same form and manner if there are multiple recipients, and will not inform any person of a request, consent or disclosure.

12.0 Historical electricity or gas usage

Policy: The Department will only provide or will require a contractor (EPC) to only provide a retailer with historical usage information in accordance with the Regulation and AUC Rule 010.

Mechanisms

1. These requests from Retailers are received and managed by a contractor (EPC) which must follow the requirements of AUC Rule 010 for responding to requests from Retailers for Customer Information and to submit an annual statement of their compliance to the Department.

13.0 Aggregated customer information

Policy: The Department or contractor (EPC) will only provide a Retailer with aggregated Customer Information in accordance with the Regulation.

Mechanisms

1. The Department or contractor (EPC) shall ensure that the Customer Information has been aggregated to such a degree that the information of an individual Customer or Retailer cannot be readily identified.
2. At least 24 hours before aggregated Customer Information is made available to a Retailer, the Department or contractor (EPC) will place on its website a notice containing a clear description of the information and the cost of obtaining the information, and will maintain the notice on its website for at least 30 days.
3. The Department or contractor (EPC) will make the aggregated data available to all Retailers for the same price and under the same conditions.

Division 3

Business Practices of Distributors and Regulated Rate Suppliers

14.0 Equal treatment of retailers

Policy: The Department's Terms and Conditions will not give preferential treatment to its Affiliated Provider (EEC) or to Customers of its Affiliated Provider, discriminate against any Retailer or against Customers of any Retailer, and any changes to The Department's Regulated Energy Services or the Terms and Conditions that apply to those services, will be communicated to all Retailers at the same time and in the same manner to meet the requirements in accordance with the Regulation.

Mechanisms

1. The Department Manager will: identify the employees to be trained on the requirements of this section; annually ensure that an appropriate training plan is in place; and confirm that the identified employees have received training at the commencement of employment and annually thereafter. Employees will acknowledge that the training has been completed and is understood at each occasion. Contractors, including EEC, EPC, Dataco and Big Sky, will provide a compliance acknowledgement at the commencement of their contract and annually thereafter that they have completed training as required in this Compliance Plan.
2. The Department or its contractor (EPC) will manage all market interactions with Retailers in accordance with applicable Terms and Conditions and Tariffs, which are available at www.reddeer.ca. These interactions include applications for Retail Access Service from or other communications such as changes to tariffs, terms and conditions or contact information for the Department.
3. The Department will manage the market business transactions for which it is directly responsible as Meter Data Manager for interval profile and system level sites in accordance with the requirements of AUC Rule 021.
4. All market business transactions handled by contractors (EPC, EEC) are required to be managed in accordance with applicable AUC Rules including AUC Rules 004, 010 and 021, and access to business and systems interfaces is provided by such contractors (EPC) as outlined in their AUC approved Compliance Plan.
5. The Department or its contractor (EPC) will maintain an email contact list of all Retailers operating in our settlement zone in order to inform all Retailers at the same time by email of any changes to its regulated energy services, tariffs, or terms and conditions.

15.0 Prohibitions

Policy: The Department will abide by the prohibitions contained in the Regulation.

Mechanisms

1. The Department Manager will: identify the employees to be trained on the requirements of this section; annually ensure that an appropriate training plan is in place; and confirm that the identified employees have received training at the commencement of employment and annually thereafter. Employees will acknowledge that the training has been completed and is understood at each occasion. Contractors, including EEC, EPC, Dataco and Big Sky, will provide a compliance acknowledgement at the commencement of their contract and annually thereafter that they have completed training as required in this Compliance Plan.
2. The Department may or has already contracted its retail responsibilities for regulated energy services including billing and customer care to a contractor (EEC) that must abide by all requirements of the Regulation and provide an annual statement of compliance to the Department.
3. The Department does not permit users to access websites of Retailers from its website.
4. The Department does not permit any Retailer access to its written communications with Customers.

16.0 Information about retail energy services

Policy: When the Department receives a request for information about retail energy services it will refer customers to a source where they may obtain a current list of Retailers that are licensed under the *Fair Trading Act* to engage in the marketing of electricity or the marketing of gas.

Mechanisms

1. The Department Manager will: identify the employees to be trained on the requirements of this section; annually ensure that an appropriate training plan is in place; and confirm that the identified employees have received training at the commencement of employment and annually thereafter. Employees will acknowledge that the training has been completed and is understood at each occasion. Contractors, including EEC, EPC, Dataco and Big Sky, will provide a compliance acknowledgement at the commencement of their contract and annually thereafter that they have completed training as required in this Compliance Plan.
2. The Department call handling guidelines will address requests for information about Retail Energy Services from Customers who will be provided information about the Utilities Consumer Advocate including the phone number and/or web address.
3. The contractor (EEC) responsible for the functions of Regulated Rate Supplier are required to adhere to all applicable requirements of the Regulation and provide an annual statement of compliance to the Department.

Part 3
Relationships Among Distributors, Regulated Rate Suppliers and Affiliated Providers

Division 1
Preventing Unfair Competitive Advantage

17.0 Arrangements creating unfair competitive advantage prohibited

Policy: The Department will not make any arrangements that create an unfair competitive advantage for the Affiliated Provider.

Mechanisms

1. The Department Manager will: identify the employees to be trained on the requirements of this section; annually ensure that an appropriate training plan is in place; and confirm that the identified employees have received training at the commencement of employment and annually thereafter. Employees will acknowledge that the training has been completed and is understood at each occasion. Contractors, including EEC, EPC, Dataco and Big Sky, will provide a compliance acknowledgement at the commencement of their contract and annually thereafter that they have completed training as required in this Compliance Plan.

18.0 Information Sharing

Policy: The Department will ensure that its Customer Information is not disclosed or made available to any Retailer for the purposes of marketing or sales of Energy Services, except in accordance with the Regulation.

Mechanisms

1. The Department Manager will: identify the employees to be trained on the requirements of this section; annually ensure that an appropriate training plan is in place; and confirm that the identified employees have received training at the commencement of employment and annually thereafter. Employees will acknowledge that the training has been completed and is understood at each occasion. Contractors, including EEC, EPC, Dataco and Big Sky, will provide a compliance acknowledgement at the commencement of their contract and annually thereafter that they have completed training as required in this Compliance Plan.
2. The Department will only share information with its Affiliated Provider as permitted to be disclosed in accordance with the Regulation.
3. The Department relies upon the contractors with AUC-approved Compliance Plans (EEC, EPC) to ensure that information received from the Department is not used for marketing or sales purposes and for appropriate data management and information access protocols for the contractors business systems. Those contractors without AUC-approved

Compliance Plans (Dataco, Big Sky) must provide annual certification that all Customer Information has been handled appropriately and must report any Customer impacting instances of non-compliance immediately to the Department.

19.0 Retailer seeking customer information

Policy: The Department will ensure that its Customer Information is not disclosed or made available from a current or former officer, employee, agents or contractor to any Retailer for sales or marketing purposes.

Mechanisms

1. The Department Manager will: identify the employees to be trained on the requirements of this section; annually ensure that an appropriate training plan is in place; and confirm that the identified employees have received training at the commencement of employment and annually thereafter. Employees will acknowledge that the training has been completed and is understood at each occasion. Contractors, including EEC, EPC, Dataco and Big Sky, will provide a compliance acknowledgement at the commencement of their contract and annually thereafter that they have completed training as required in this Compliance Plan.
2. As a municipal body, Customer Information is handled in accordance with the requirements of all applicable acts and regulations, including the Freedom of Information and Protection of Privacy Act, and the Code of Conduct Regulation and all municipal employees sign a confidentiality undertaking upon commencement of their employment.

20.0 Acquisitions, research and dispositions

Policy: The Department and its Affiliated Provider have not and will not enter into arrangements such as joint acquisitions or share costs associated with research and development.

Mechanisms

1. None required.

21.0 Goods and services transactions to be at fair market value

Policy: All transactions involving the sale, lease, exchange, transfer or other disposition of goods or services between The Department and its Affiliated Provider will be recorded and priced at Fair Market Value to prevent the creation of an unfair competitive advantage. If the value of the transaction for goods or services is regulated by a municipal, provincial or federal government or government agency, the regulated value will be considered the Fair Market Value.

Mechanisms

1. As independent entities, the Department does not and will not enter into such transactions with its Affiliated Provider and no such recording and pricing will be required.

22.0 Financial transactions

Policy: The Department will not provide a loan, guarantee, security or other financial transaction on terms more favorable than could be obtained in the open market to prevent the creation of an unfair competitive advantage.

Mechanisms

1. As independent entities, the Department does not and will not make any such arrangements with its Affiliated Provider and such conditions will not be required.

23.0 Entities carrying on more than one business

Retained for Numbering Consistency

24.0 Access to publicly available information

Policy: The Department will not restrict access to information available to the public in accordance with the Regulation.

Mechanisms

1. The Department Manager will: identify the employees to be trained on the requirements of this section; annually ensure that an appropriate training plan is in place; and confirm that the identified employees have received training at the commencement of employment and annually thereafter. Employees will acknowledge that the training has been completed and is understood at each occasion. Contractors, including EEC, EPC, Dataco and Big Sky, will provide a compliance acknowledgement at the commencement of their contract and annually thereafter that they have completed training as required in this Compliance Plan.

Division 2 Records and Accounts

25.0 Records and accounts

Policy: The Department will keep accounts in accordance with generally accepted accounting principles, any uniform system of records required by the Commission, in sufficient detail to enable an audit to be conducted and will retain separate records and accounts from its Affiliated Provider in accordance with the Regulation.

Mechanisms

1. As independent entities, the Department and its Affiliated Provider keep separate records and accounts.
2. The Department maintains its records using generally accepted accounting principles governed by the Public Sector Accounting Board (PSAB).
3. The Department does not currently use IFRS accounting and will comply with the directions given in the Letter of Acknowledgement dated October 14, 2009 received from the AUC in regards of Application Number 160550 – AUC Rule 026, Section 2 (2) IFRS Declaration by notifying the AUC if the PSAB makes any changes to the generally accepted accounting principles applicable to The City of Red Deer that involve IFRS.

26.0 Written financial transactions

Policy: Every financial transaction between The Department and its Affiliated Provider will be documented in writing to prevent the creation of any unfair competitive advantage.

Mechanisms

1. There are no such transactions between The Department and the Affiliated Provider.

27.0 Records of transactions for goods and services

Policy: All transactions for goods and services between the Department and its Affiliated Provider will be recorded in accordance with the Regulation.

Mechanisms

1. Records of transactions such as the contract for services and amendments between the Department and its Affiliated Provider will be recorded and maintained by the Department Manager in accordance with the Regulation and will be available for audit purposes.
2. There are no financial transactions between the Department and the Affiliated Provider.

28.0 Maintaining records

Policy: The Department will retain records, accounts, records of financial transactions, reports and plans for at least six years.

Mechanisms

1. The Department will maintain the required documentation for at least six years.

Part 4 Compliance Requirements

Division 1 Compliance Plans and Compliance Reports

29.0 Prohibition against providing retail energy services without approved compliance plan

Policy: Before the Department begins to provide Retail Energy Services to Customers, the Department will prepare, file, receive approval of a Compliance Plan by the Commission and provide copies of the approved plan in accordance with the regulation.

Mechanisms

1. The Department does not provide Retail Energy Services to Customers.

30.0 Compliance Plan Required

Policy: The Department will develop compliance training material that will be used to train officers, employees and contractors of the Department on the provisions of the Regulation, the Compliance Plan, and their duties and responsibilities. The material will include the following topics:

- Equal treatment of Customers;
- Protecting confidential Customer Information;
- Equal treatment of Retailers; and
- Preventing unfair competitive advantage for the Affiliated Provider.

Mechanisms

1. The Department Manager will: identify the employees to be trained on the requirements of this section; annually ensure that an appropriate training plan is in place; and confirm that the identified employees have received training at the commencement of employment and annually thereafter. Employees will acknowledge that the training has been completed and is understood at each occasion. Contractors, including EEC, EPC, Dataco and Big Sky, will provide a compliance acknowledgement at the commencement of their contract and annually thereafter that they have completed training as required in this Compliance Plan.
2. The Compliance Committee will develop the Compliance Plan that sets out the systems, policies, and mechanisms The Department intends to use directly or relies upon the AUC-approved Compliance Plan of its contractors (EEC, EPC) to meet the requirements of the Regulation.
3. Upon approval of the Compliance Plan, the Compliance Committee will distribute a copy to applicable employees, contractors (EPC, Dataco, Big Sky), and its Affiliated Provider (EEC).

Policy: The Department or contractors (EEC, EPC) will comply with rules set out by the AUC in accordance with Section 129 (1) of the EUA in respect of

- (i) Billing and billing services to be provided to customers, and**
- (ii) The process, procedures and standards for transfer of data relating to distribution tariffs;**

Mechanisms

1. The Department relies upon contractors for the majority of functions that occur under (i) and (ii) above. The contract agreements require compliance to all applicable rules and regulations and further rely upon the Compliance Plan of EEC and EPC to set out the manner in which they will ensure compliance in accordance with the Regulation.
2. The policies and mechanisms within this Plan are in place to ensure compliance with the applicable rules and regulations.
3. The Department will make any changes required to its systems, policies, and procedures in order to remain compliant in accordance with the Regulation.

31.0 Approval by Commission

Retained for Numbering Consistency

32.0 Changes to Compliance Plan

Policy: The Department will amend the Compliance Plan to reflect changes in circumstances and changes to the Regulation.

Mechanisms

1. Quarterly, or more frequently if required, the Department Manager will review the Compliance Plan to determine if amendments are required.
2. The Department Manager will prepare and submit an amendment to the Plan within 60 days following a change in circumstance or Regulation.
3. Upon approval of proposed changes to the Compliance Plan, the Department Manager will distribute a copy of the approved Compliance Plan to applicable employees, contractors (EPC, Dataco, Big Sky), and the Affiliated Provider (EEC).

33.0 Quarterly and annual compliance reports

Policy: The Department will report any non-compliance with the Regulation and the Compliance Plan and file annual reports in accordance with the Regulation and any applicable Commission rule.

Mechanisms

1. The Department Manager will prepare a compliance report for City Council on a quarterly and annual basis, the latter of which is for approval by City Council. The report will include the details of any non-compliance with the Regulation or the Compliance plan, the remedies undertaken, and information pertaining to any complaints of non-compliance and how the complaints were handled.
2. Within 90 days of the end of each calendar year, the Department Manager will provide the approved annual compliance reports to the AUC.
3. Within 30 days of becoming aware of an issue of non-compliance on the part of any employees or contractors without an AUC approved Compliance Plan (Dataco, Big Sky), The Department will file a report of non-compliance with the AUC detailing the act of non-compliance and the remedies undertaken.
4. The Department requires any contractor with an AUC approved Compliance Plan (EEC, EPC) to file any required reports of compliance or non-compliance in regards to Red Deer in accordance with the requirements of the Regulation and to provide copies to The Department of any such reports upon filing with the AUC.

34.0 Information about complaints

Policy: The Department will give notice to the public that complaints about contraventions of the Regulation or the plan may be made to the Department, the Alberta Utilities Commission or the Market Surveillance Administrator.

Mechanisms

1. The Department will post the following notice on its website at www.reddeer.ca:

Code of Conduct Regulation Complaints Process

Complaints about contraventions of the Code of Conduct Regulation may be made via email to ELPcodeofconduct@reddeer.ca and/or to the Alberta Utilities Commission (AUC) and/or the Alberta Market Surveillance Administrator (MSA).

The Alberta Utilities Commission can be reached by contacting 1-780-427-4903 or consumer-relations@auc.ab.ca. The Market Surveillance Administrator can be reached by contacting 1-780-705-3181 or compliance@albertamsa.ca. The Alberta Utilities Commission and the Market Surveillance Administrator are independent of any distributors, regulated rate suppliers or affiliated providers.

The Department will acknowledge all disputes, complaints, or inquiries within five (5) working days of its receipt.

The Department will respond to the dispute, complaint or inquiry within 21 working days.

A final resolution of the dispute, complaint, or inquiry shall be completed as expeditiously as possible in the circumstances, and in any event within 60 days of receipt of the dispute, complaint or inquiry, except where the party making the submission otherwise agrees.

35.0 Publication of compliance plans and reports

Retained for numbering consistency

36.0 Regulation prevails

Policy: Compliance by the Department with the Compliance Plan requirements does not release the Affiliated Provider or applicable contractors (EPC, Dataco, Big Sky) from complying with the Regulation.

Mechanisms

1. The Department Manager will: identify the employees to be trained on the requirements of this section; annually ensure that an appropriate training plan is in place; and confirm that the identified employees have received training at the commencement of employment and annually thereafter. Employees will acknowledge that the training has been completed and is understood at each occasion. Contractors, including EEC, EPC, Dataco and Big Sky, will provide a compliance acknowledgement at the commencement of their contract and annually thereafter that they have completed training as required in this Compliance Plan.

Division 2 Varying Arrangements

37.0 Alternative compliance arrangements

Retained for numbering consistency

38.0 Emergency exceptions

Policy: Any action taken by the Department in response to an emergency that threatens public safety, the safety of officers, employees, contractors or agents, the physical integrity of their facilities or system reliability does not contravene the Regulation or the Compliance Plan.

Mechanisms

1. The Department Manager will record any emergency action that would otherwise contravene the Compliance Plan or the Regulation as soon as practicable and will report it to the AUC on an ad hoc or annual basis as appropriate.

Division 3 Compliance Audit

39.0 Appointment of auditor

Retained for numbering consistency

40.0 Audit

Policy: The Department will give the auditor access to any information required to conduct the audit and will reimburse the Commission for the auditor's costs and expenses in accordance with AUC Rule 030.

Mechanisms

1. None required

41.0 Audit report

Retained for numbering consistency

Division 4 Investigations

42.0 Referral of matters to MSA

Retained for numbering consistency

43.0 Notice to Commission of MSA investigations

Retained for numbering consistency

44.0 Information sharing between Commission and MSA

Retained for numbering consistency

Part 5 Transition Provisions, Repeal and Coming into Force

45.0 Approvals under Code of Conduct Regulation (AR 160/2003)

Policy: The Department will continue to comply with the Compliance Plan filed with and any approvals for exemptions given by the Market Surveillance Administrator that was in effect under *Code of Conduct Regulation (AR 160/2003)* until this compliance plan is approved by the Commission.

Mechanisms

1. None required.

46.0 Approvals under Code of Conduct Regulation (AR 183/2003)

Retained for numbering consistency

47.0 Consents continued

Retained for numbering consistency

48.0 Market Surveillance and Commission duties

Retained for numbering consistency

49.0 Repeal

Retained for numbering consistency

50.0 Expiry

Retained for numbering consistency

51.0 Coming into force

Policy: The Compliance Plan will be effective on the date it is approved by the AUC and remains effective until amended or revoked.

Appendix 1

City of Red Deer & Contractor Business Functions including Affiliated Provider designation

Wires Owner, Wires Service Provider, Meter Service Provider	Interval Meter Data Management	Cumulative Meter Data Management	Load Settlement Agent & Tariff Billing	Regulated Rate Provider / Default Supplier	Site Administration, Work Order Management, Retailer Support Services, Information Systems	Disconnect & Reconnect Services	After Hours Power Outage Answering Service
City of Red Deer	City of Red Deer	Enmax Power Corporation (meter reading subcontracted to Dataco Utility Services)	Enmax Power Corporation	Enmax Energy Corporation**	Enmax Power Corporation	Dataco Utility Services	Big Sky Call Centers Inc.

** As Regulated Rate Supplier, Enmax Energy Corporation meets the definition of Affiliated Provider in the Regulation