

Alberta Utilities Commission provides update regarding inquiry into development of electricity generation in Alberta

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Recently, we discussed the [Government of Alberta's Generation Approvals Pause Regulation](#) and direction that the Alberta Utilities Commission (AUC) is taking as it holds an inquiry into renewable electricity generation. The AUC issued supplemental information requirements for renewable electricity generation projects ([discussed here](#)) on September 6, 2023 and on September 11, 2023, issued [Bulletin 2023-06](#) [PDF], providing further details regarding the inquiry, which will consider the ongoing economic, orderly and efficient development of electricity generation in Alberta (the Inquiry).

The Inquiry will review the role of municipal governments in land selection for project development and review and will also consider:

1. The development of power plants on specific types or classes of agricultural or environmental land.
2. The impact of power plant development on Alberta's viewscales.
3. The implementation of mandatory reclamation security requirements for power plants.
4. The development of power plants on lands held by the Crown in Right of Alberta, and
5. The impact of increasing growth of renewable energy resources on the generation supply mix and electric system reliability.

These issues will be considered in two separate modules (Module A and Module B). Module A will consider issues one to four while Module B will consider issue five.. While the AUC has released details respecting Module A (discussed below), details respecting Module B are expected to be announced in the near future.

Module A

The AUC will issue a notice through the eFiling system with additional information regarding the process and timelines for the Inquiry.

Interested parties may participate in Module A by: (i) completing an online survey; (ii) providing submissions in writing; and (iii) providing submissions orally at an in-person session. The AUC will distribute the online survey and comment matrix for parties to use when preparing written submissions. The dates and venues of in-person sessions are still to

be determined, but are expected to take place in several locations across Alberta.

The forthcoming notice will provide further instruction on how interested parties may participate in the Inquiry, including procedures for providing written submissions, completing the online survey, attending in-person sessions for oral submissions, and submitting any comments or questions.

The AUC also will be retaining experts to prepare reports related to the issues under review. These reports will be made publicly available on the AUC's eFiling system for interested parties to review and comment on.

The AUC further anticipates that it will hold an oral hearing to question select participants on their pre-filed submissions. The AUC will identify and request the attendance of specific parties it seeks to question. The oral hearing is expected to take place in December, 2023.

The following is the preliminary schedule, and the AUC has indicated that additional details will be coming soon:

Process step	Timeframe
AUC notice with additional updates/participant information	Mid-September
Oral submissions (in-person)	Late October to mid-November
Written submissions	Mid to late November
Reply submissions	Early December
Oral hearing	Mid December
Deadline for the AUC to submit report to the Minister of Affordability and Utilities	March 29, 2024

Osler will continue to monitor these developments closely. Our firm has extensive experience providing advice on renewable energy developments and regulation by the AUC and in other jurisdictions across Canada. If you have any questions regarding the implications of the Approvals Pause and the Inquiry, please contact a member of the Osler Regulatory or Power and Utilities groups, or the authors of this article.