

# BENIGN ENERGY Canada II Inc.



## 2024 08 15 AUC RULE 007 MOST RESPECTFUL REQUEST NOT TO BUREAUCRATICALLY OVERBURDEN AS GROSSLY UNFAIR AND POTENTIALLY ABUSE OF PROCESS AGAINST RENEWABLE ENERGY APPLICATIONS IN ALBERTA

Ms. Carolyn Dhal Reeves AUC Chair Eau Claire Tower 1400, 600 Third Ave. S W Calgary, Alberta T2P 0G5	Ms. Anne Michaud AUC Vice Chair Eau Claire Tower 1400, 600 Third Ave S W Calgary, Alberta T2P 0G5
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Mr. Doug Larder Vice Chair	Ms. Krist Sebalj Vice Chair
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Mr. Bob Heggie AUC Chief Executive	Mr. J. P. Mousseau General Counsel
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Ms. Kim Macnab  
Executive Director Facilities

Dear AUC Senior Management and Staff

First and up front Benign Energy Canada II Inc ("BECI") has always had great respect for the AUC since its inception as the best regulator in Alberta for Honesty, Integrity, Trust, Transparency, Common sense, Fairness, Engineering and Legal expertise. Both the recent "AUC Report Card" and "Strategic Direction" (attached) concur and reflect same.

However; BECI and others are of the view that the AUC is at serious risk of losing its outstanding and stellar reputation by massively increasing unwarranted red tape (New York Times July 14, 2024 Green Energy Caught in Red Tape), and making a mockery of (AUC Report Card) on 007 application for renewable power plants in Alberta. As such BECI strongly recommends that the top management and senior leadership of AUC have a serious review of what the lower levels of bureaucracy are putting forward to ensure it is not overkill and importantly fair, when gas fired generation and AER regulated facilities do not have to meet the new draconian requirements being proposed by AUC on wind and solar renewables applications. (Reference, May 23, 2024 3:14 PM (<https://mailchi.mp/auc/bulletin-2024-14165925?e=30490ffe57>)) (attached) Considerations appear to be an exercise in throwing as much as possible spaghetti on the wall to see how much sticks. The July 10 session was apparently recorded and so senior leadership has a chance to listen to the significant push back



on many concepts including from CanREA, Mr. Evan Wilson and other independents in attendance.

A few overkill areas proposed are as follow;

- 1) The agricultural land section has gone way overboard into far too many areas (too deep into the weeds) forcing developers into becoming farmers, realtors or bank appraisal experts on land values. Simply the land value is between a willing seller and a willing buyer with the developer not caught in the middle. Recall, no wind or solar plant can be built on private lands without landowner consent.
- 2) The additional proposed set back proposals are draconian to ridiculous, especially considering all the set backs already in place such as, 1500m from a hawk's nest, Alberta Transport setbacks, setbacks from a water body, Transport Canada setbacks, MD setbacks, Fortis/AML/ATCO setbacks, AUC Rule 007 noise setbacks, archeological setbacks, solar glare setbacks, Nav Canada setbacks and so on. With too many setbacks no land is left to make a project. From the chart presented July 10, 2024 one of the most ridiculous proposed was setback from a hospital. Really? No developer is going to put a wind turbine or a solar farm beside a hospital although it is done in N. Ireland and the UK and Europe. Further the hospital can add its own roof top solar to save money if it wants.
- 3) Similarly, the reclamation section being proposed are far too detailed and 'too far into the weeds'. Needs just a simple one or two sentence or recommended guidelines.
- 4) Checking the qualifications on a number of qualified experts is a "bridge too far". Those experts sign the various reports they are hired to do as truthful for their area of expertise. No need for AUC to track down their qualifications. Eg, Visual effects experts, engineers, lawyers, biologists and so on. Moreover, the developer submits the full application to AUC to be true and so AUC does not need to become policeman.
- 5) AUC May 23, 2024 Bulletin 2024 09 draft responses (attached).
- 6) Left blank
- 7) Left blank

Recall that the Ministers letter to AUC CEO only asked for a review of 4 things and did not anywhere seek massive over regulation gone wild.

The hypocritical pause forced on AUC and the industry has for sure had its intended negative consequences of chilling/killing effects on Alberta's renewables industry costing millions in investment losses to developers, Alberta and its rural municipalities, loss of 53 significant cancelled projects (Attached Pembina and BRC Canada reports)

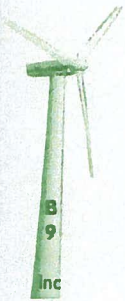
Unfortunately, all these excessive, new, grossly unfair requirements being foisted on renewables only and not gas fired plants or on AER on oil and gas facilities, pipelines, gas plants, refineries etc. are based on a pack of lies by Alberta's rogue Premier's bias and hate against Alberta wind and solar as follow;

- 1) Lie No. 1. The AUC requested the pause on all Alberta's renewable projects. Subsequent evidence in the public domain proves the Premier in her bias ordered the denigration pause by a GOA order as stipulated in the January 31, 2024 AUC report to the GOA on Module A



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- 2) Lie No 2. The AESO requested the pause on all Alberta renewable projects. Subsequent evidence in the public domain again proves this to be false and jobs can be lost if one goes against the Premier's bias.
- 3) Lie No 3. All rural municipalities requested the pause. Again, subsequent evidence and statements from them prove this was and is false. Pembina, BCR Canada and other reports show the resultant losses in revenue to Alberta and its rural municipalities.
- 4) Lie No 4. Renewable energy takes too much land out of production. Significant submissions to AUC in proceeding 28542 Module A and Module B prove this to be absolutely false as oil and gas and others take significantly more land out of production than renewables.
- 5) Lie No. 5. The Premier advised that the cause for both the winter and summer near brown outs was wind and solar. Subsequent evidence proved that not to be truthful and that the real causes were one gas plant down for turn around and the second down on emergency. Rather; wind and solar helped keep the lights on in agreed minor ways both times. Further evidence submitted to AUC by Berkshire Hathaway Canada showed that the AESO has failed since inception to upgrade all the Alberta interties. (attach MSA Report August 6, 2024).
- 6) Lie No. 6. The premier failed to notify thousands and thousands of landowners that she was sterilizing their lands for renewable projects from Grand Prairie to the Montana border and 35 KM from the Rocky Mountains and used a bogus map submitted by a group (reference submission on AUC 28542) objecting to the "Ring Linger" wind farm proposal. The map idea was submitted by a local group without any consultation of other jurisdictions over which they had no rights to submit such draconian consequences for other jurisdictions and land owner rights. The laws of legal landowner rights were clearly abused, unlawful by the Alberta Premier. Meantime environmentally disastrous coal mines are still progressing despite local land owner and Albertan's generally strong environmental opposition to them. The 'viewscape' argument is bogus and not applied to oil and gas and other industries anywhere and especially on crown land where thousands of plants exist or are planned.
- 7) Lie No. 7. The Alberta Premier failed to consult first nations (Peigan/ Pikani and Blood Reserves) before attempting to sterilize their lands from renewables projects. Hypocritically, the governments of both Canada and Alberta and other ministries have encouraged first Nations ownership of renewable infrastructure projects. Neither the Premier or Alberta Government have any jurisdiction over first nations lands as that jurisdiction rests solely with the GOC.
- 8) Lie No. 8. Renewable energy does not have suitable project reclamation. Fact. The renewable energy industry is being blamed for Alberta's thousands of orphan wells and tailings ponds environmental disasters the GOA has failed to address. There has only been one wind farm that has existed past its life and that one wind farm has been remarkably reclaimed.
- 9) Lie No. 9. The Alberta Premier consistently lies on radio and YouTube that battery storage won't work in the Alberta Interconnected Electrical System. Fact. Battery storage (Battery Storage Canada) is being installed in BC, Sask., Ontario (Largest in Canada), Quebec, throughout the USA and the world as a grid stabilizer and backup power system (sample attached).



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10) More lies TBD

11) Left blank

The real question for the AUC senior leadership is, does the AUC want to risk its outstanding reputation by forcing on industry massive new red tape regulations vs AUC Report Card, based of the fundamental pack of lies or could some of the items be guidelines VS rock hard regulations that last a hundred years and can never be eliminated once imposed? "To be or not to be, that is the question?"

BEIC believes the AUC does not want to, nor should they, be complicit in a pack of biased lies and hypocrisy, resulting in excessive regulation and red tape thus to show lack of fairness and due process. It is strongly recommended be very careful not to over regulate the fastest growing, emissions free renewable industry in the world. AUC will be around long after Daniel Smith is long gone hence over regulation of renewables is clearly unwise "The evil that some do will live after them"

#### Conclusion

Respectfully and to be fair and to avoid abuse of process there should be NO more restrictions, red tape and overkill regulations on renewable wind and solar than the AER imposes on oil and gas infrastructure and all their facilities. This especially since AUC reports to the Department of Energy just like AER VS only reporting to Utilities and Affordability. That being the case any new requirements placed on renewables must be also implemented by AER on all oil and gas projects. The Renewables Energy Industry prays for AUC common sense VS over regulation and red tape based on bias and non truths.

All of which is most respectfully submitted on this the 21<sup>ST</sup> of August 2024 to senior AUC management and AUC Engage, Ms. L. Johnson.

Most Sincerely

Allan Kettles

President, Director, CEO Benign Energy Canada II Inc.

CC: GOA Energy

Industry Renewables

- Attachments: 1) 2023-2024 AUC Report Card and  
2) AUC 2021-2024 Strategic Direction  
3) 2024 08 01 AUC Recent News  
4) AUC 2024 05 23 Bulletin 2024-09  
5) Alberta Municipalities jump in revenues from renewable energy  
6) 2024 08 06 BRC -Canada



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- 7) Nova Scotia Power Required to file on Greening the Grid. How About Alberta?
- 8) 2024 08 20 USA Dept. Energy Battery Storage Research
- 9) 204 07 14 New York Times "Green Energy Is Caught in Red Tape
- 10) 2024 08 Pembina "Creating (Un)certainly for Renewable Projects
- 11) 2024 08 06 Calgary Herald "Alberta's ban on renewables carried a heavy price"
- 12) 2024 08 03 Calgary Herald "Renewable Energy pause squelched progress study"
- 13) 2024 08 19 Sample ERA \$ Billions \$\$\$\$ given to Oil and Gas, ZERO ever for already emissions free water fee wind and solar.
- 14) Sample battery storage booms and goes global.
- 15) 2024 08 MASA FEOC -New Report

# 2023-2024 Report Card



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