

# Bulletin 2025-03

April 1, 2025

## **Amendments to Rule 001 and rescinded Rule 018 and Rule 014**

The Alberta Utilities Commission (AUC) amended Sections 1.1, 20, 30 and 35 of [Rule 001: Rules of Practice](#) and rescinded Rule 018: *Rules on Negotiated Settlements* and Rule 014: *Rules Respecting the Public Disclosure of Market Surveillance Administrator Records in a Hearing or Other Proceeding*.

The amendments to Rule 001 and the rescission of Rule 018 and Rule 014 are effective on April 1, 2025.

## **Changes to Section 35 of Rule 001**

Section 35 of Rule 001 is amended to incorporate revised provisions of Rule 018. The amendments are intended to make negotiated settlements more accessible and efficient and remove duplicative descriptions of processes related to negotiated settlements.

Significant changes to Section 35 of Rule 001 include:

- Sections 35.2 and 35.3 allow an applicant to initiate settlement discussions before or after an application is filed and remove the requirement for the applicant to obtain Commission approval to start settlement negotiations and replace it with a requirement for the applicant to notify the Commission in writing of its intent to start settlement negotiations.
- Section 35.10 allows the Commission to approve a unanimous or unopposed settlement agreement without further process if it determines the settlement agreement is in the public interest.
- The Commission also removed several existing provisions from Rule 018 because they are duplicative of requirements in the statutory framework (the requirement that approval of a settlement must result in just and reasonable rates), Rule 001 (descriptions of various notice and hearing requirements for settlements), and Rule 022: *Rules on Costs in Utility Rate Proceedings* (costs related to settlements).

Based on stakeholder feedback, the AUC also excluded the provision stating that the Commission may direct parties to participate in settlement negotiations. It is unnecessary to include this provision as the Commission can issue this direction under Section 2 of Rule 001.

The Commission has also made slight modifications to the information requirements to be included with a settlement brief based on stakeholder feedback and confirmed that the onus remains on the applicant to ensure that the supporting evidence and rationale for the settlement is sufficient.

As with Rule 018, Section 35.5 continues to allow AUC staff to attend settlement negotiations and advise the Commission as to the fairness of the process. Absent parties' consent, the AUC staff involved may not participate in Commission proceedings arising from or related to issues in the settlement agreement.

### **Additional amendments to Rule 001**

Two other matters have been included in this round of amendments to Rule 001: changes to incorporate the use of generative artificial intelligence (AI) in AUC proceedings and changes to the test for confidential treatment of Market Surveillance Administrator (MSA) records.

A definition of generative AI has been added to Section 1.1 along with a disclosure requirement if generative AI was used to prepare documentary evidence in Section 20.

Section 30 has been amended to align the test for confidential treatment of MSA records with that set out in Rule 001. As a result, the Commission has repealed Rule 014.

### **Other considerations**

In its consultation on changes to Rule 018, the AUC received feedback from interested parties on two related issues: the potential for Commission-led mediations, and enhanced AUC staff participation as observers or participants in the negotiated settlement process. The AUC considered this preliminary feedback and will consider developing a proposed framework for these processes and requesting further feedback in the future.

In addition to the revised rule, the AUC has issued a comment matrix with the Rule 018 consultation feedback and the AUC's response, and a blackline version of Rule 001 showing the changes made to this rule.

All materials related to amending Rule 001 and rescinding Rule 018 can be found on the [Consultations](#) page on the AUC website, and the [Rule 018 Engage](#) page. The revised Rule 001 is available on the [AUC rules](#) page.

The AUC thanks parties for their participation in the consultation process. Any questions related to this bulletin may be directed to Nicole Fitz-Simon at [nicole.fitz-simon@auc.ab.ca](mailto:nicole.fitz-simon@auc.ab.ca) or Caitlin Graham at [caitlin.graham@auc.ab.ca](mailto:caitlin.graham@auc.ab.ca).

Alberta Utilities Commission