
To: Laura Frank
Alberta Utilities Commission
Submitted by email to: engage@auc.ab.ca

From: Renewable Energy Systems Canada Inc.
#530, 1011 1 St SW
Calgary, Alberta T2R 1J2

Date: May 23, 2025

Changes proposed to Rule 007: Facility Applications

Dear Ms. Frank,

Renewable Energy Systems Canada Inc. (RES) appreciates the opportunity to provide feedback to the Alberta Utilities Commission (AUC) on the draft blackline of proposed changes to Rule 007. With six AUC-approved projects, we are among Alberta's most successful renewable energy developers, and we believe our experience offers valuable perspective to this process.

Our comments are provided in the Table below.

Thank you again for the opportunity to provide feedback on the proposed changes.

Sincerely,



Isabelle Deguise
Director Western Canada
Renewable Energy Systems Canada Inc.

Section	Item	Blackline	Comment
4.3.2	WP17	Provide a table comparing predicted shadow flicker durations to 30 hours per year for the adjusted-case scenario and 30 minutes per day for the worst-case scenario.	This wording is unclear, particularly whether the two different standards (e.g., hours/year vs. minutes/day) apply to the adjusted and worst-case scenarios.
4.3.2	WP18	If predicted shadow flicker durations exceed the above thresholds for one or more receptors, determine mitigation measures that could be implemented to reduce the duration of shadow flicker to comply with threshold values, and evaluate the effectiveness and feasibility of the mitigation measures via modelling.	<p>The 30 min/day limit is very restrictive.</p> <p>Jurisdictions such as Nova Scotia apply a 30-hour per year limit based on the adjusted-case scenario, without imposing a daily maximum. If that limit is exceeded, daily limits could be applied, where necessary.</p> <p>Further, the shadow flicker assessments are based on modeled, hypothetical scenarios. A predicted exceedance of established thresholds does not necessarily indicate that an actual impact will occur under real-world conditions.</p>
4.3.2 4.4.2 10.3	WP19 SP17 ES30	<p>Confirm whether the proposed project area complies with the applicable municipal planning documents including municipal development plans, intermunicipal development plans, area structure plans, land use bylaws (including applicable setbacks) and other municipal bylaws.</p> <p>Identify any instances where the proposed project area does not comply with applicable municipal planning documents and provide a justification for any non-compliance.</p>	As part of early development and in accordance with PIP requirements, the Proponent engages directly with the applicable municipality. Where there is non-compliance with a municipal planning document, it is typically resolved between the landowner, Proponent and the municipality. Furthermore, in most cases, an AUC Permit and License is required before the municipality issues a Development Permit.
4.3.2 4.4.2	WP21 SP19	List the key environmental regulations and guidelines applicable to the project and provide rationale for any deviations from the guidelines.	“key environmental regulations and guidelines” should be more descriptive. If it is intended to refer to the Wildlife Directives for Alberta Wind Energy Projects, then that should be explicitly referenced.

4.3.2 4.4.2	WP27 SP25	-	<p>a, b, and c) Several of these new requests are already requirements of the Environmental Evaluation and/or Environmental Protection Plan. Suggest refining the request to reduce duplication.</p> <p>d) Proponents should not be expected to access or disclose private landowner information such as crop rotations, grazing regimes, yields, or revenues. IF mandated, this data should only be shared with the landowner's consent and via confidential filing. Even then, such requests raise valid privacy concerns and may exceed what is reasonable or relevant for regulatory review.</p> <p>e & f) These requirements are not anticipated to present an issue for wind energy projects. For solar energy projects, item e), how is this intended to be implemented, and what are the expectations? It's important to recognize that low productivity can result from various factors unrelated to solar development. If there is an agrivoltaics plan in place, there is already a financial incentive for it to succeed due to the associated costs. Both the Proponent and the landowner should have the autonomy to make those financial decisions without interference from the AUC. Respect for private property rights is essential.</p> <p>Overall, these sections contain some redundancy and would benefit from streamlining to improve clarity and conciseness.</p>
4.3.2 4.4.2	WP28 SP26	<p>Key vantage points should include locations with valued viewsapes determined to have a major or major/moderate severity of impact ranking in the visual impact assessment.</p> <p>Proposed mitigation measures to minimize or offset any adverse visual effects on the buffer zone or visual impact assessment zone.</p>	<p>"Valued viewsapes" needs to be defined.</p> <p>Mitigation of visual impacts across an entire visual impact assessment zone sets an unrealistic standard.</p>
4.3.2	WP30	Describe the reclamation security plan for the...	The term "sufficient funds" is ambiguous and requires further clarification.

4.4.2 10.3	SP29 ES36		To eliminate ambiguity and ensure consistency among applications, the AUC should define criteria for the frequency of reclamation security estimate updates or reassessments. We suggest updating once three years prior to decommissioning given how salvage values change frequently.
4.3.2 4.4.2 7.1.2 10.3	WP35 SP34 TS35 ES40	Provide the <i>Historical Resources Act</i> approval. If a historic resource impact assessment is required, briefly describe any known historical or archaeological sites, palaeontological sites, or traditional use sites of a historic resource nature.	Given HRA applications are layout-dependent, and submitting multiple revisions is straining on both Alberta Culture resources and the Proponent, providing HRA approval may not be feasible as part of the application.
4.5.2 4.6.2 4.7.2	-	-	If the Government of Alberta is prioritizing an agriculture-first approach to wind and solar development, then thermal, other power plants and hydroelectric projects should be held to the same standards as wind and solar energy projects.
5.1 10.7	-	<p>From the power plant / energy storage facility's initial approval date, applicants will have five years to finish construction.</p> <p>After the five-year period to construct has passed, if a power plant / energy storage facility has not been completed, applicants must file a new power plant application.</p> <p>Time extension requests of short duration will only be available in limited and exceptional circumstances (e.g., a short extension request for projects that have already substantially completed construction and are facing a minor delay).</p>	<p>Given Alberta's current market conditions coupled with upcoming AESO reforms, a five-year period to complete construction from AUC approval is insufficient and will limit investment. A ten-year period, with extension provisions, is more practical to accommodate interconnection timelines and procurement challenges. Component lead times now exceed two years, and many developers defer procurement until P&L issuance. Additionally, evolving tariffs and supply chain constraints, particularly for US-sourced equipment, further impact project schedules.</p> <p>Additionally, restrictive timelines may result in an increase in resubmissions, straining AUC resources and imposing unnecessary burdens on local stakeholders.</p>