

# Bulletin 2025-09

June 27, 2025

## **Amendments to Rule 009 and consequential amendments to Rule 001**

The Alberta Utilities Commission (AUC) has amended Rule 009: *Rules on Local Intervener Costs*, which is now *Rules on Intervener Costs*, to incorporate updates to representation, the scale of costs, and revisions to Rule 009 related forms. In addition, as discussed further in this bulletin, the Commission has made consequential amendments to Rule 001: *Rules of Practice*.

The amendments to Rule 009 will apply to all facilities applications registered on or after July 1, 2025.

The amendments to Rule 001 will apply to all applications registered on or after July 1, 2025.

### **Rule 009**

On October 3, 2024, the AUC issued [Bulletin 2024-20](#) establishing written consultation on draft amendments to Rule 009: *Rules on Local Intervener Costs*. Consultation on the changes to Rule 009 included feedback on the continued involvement of paid agents in AUC proceedings, and comments on what roles paid agents should and should not be permitted to perform.

The amendments to Rule 009 address:

- Representation by agents.
- Changing the name of the rule to Rule 009: *Rules on Intervener Costs*.
- Rule 009 alignment with Rule 022: *Rules on Costs in Utility Rates Proceedings* to the extent possible.
- Greater flexibility for the Commission panel to consider costs earlier (advanced cost recovery).
- Introduction of page limits for comments and reply submissions on costs applications, and eligibility for cost recovery for this process.
- Definition of experts/consultants.
- Changes to Appendix A: Scale of costs.
- Revisions to Rule 009 forms.

## **Agents**

Going forward a person or party to an AUC proceeding may be represented by:

- A lawyer authorized to practice law in Alberta,
- a friend or family member who represents a person with no expectation of a fee, gain or reward, direct or indirect, or
- The person may choose to represent themselves.

## **Advanced cost recovery**

The amendments to Rule 009 give Commission panels greater flexibility to consider costs earlier in the proceeding. The AUC may direct a participant seeking to recover the costs of participation to complete a costs eligibility form at the outset of a proceeding. The form gathers information about the participants, the issues it intends to address, and the professionals it intends to retain to assist with its participation. In circumstances where the AUC directs a party to file a cost eligibility form, the AUC may also award advanced funding.

## **Page limit for costs application response and reply**

There are now page limits for costs submissions. Applicants may file a response of up to three pages to interveners' costs applications, and interveners may file a reply of up to two pages.

## **Cost recovery for costs submissions**

If prepared by a lawyer, the costs of preparing a costs application and any reply submissions are claimable. The revised [Rule 009 Costs Application Form](#) includes these items as new participation categories.

## **Appendix A: Scale of costs amendments**

### Experts/consultants

The AUC has defined experts/consultants as specialists in aspects of business or science such as finance, economics, accounting, engineering, real estate or the natural sciences who provide opinions or technical knowledge related to their specialty and contribute to the Commission's understanding of the relevant issues.

### Increased allowance rates for private vehicle mileage and meals

The AUC has increased private vehicle mileage and meals disbursements in line with recent changes to the Government of Alberta's travel and meal reimbursement and allowance rates.

### Local intervener attendance honoraria (for up to six local interveners)

Attendance honoraria for local interveners have increased from \$100 each per day to \$500 each per day.

### Municipality honoraria (for up to three municipal employees)

Self-represented municipalities (i.e. municipalities who intervene without legal representation) can claim between \$300-\$2,500 as honoraria.

### Indigenous honoraria (interim approach)

The amendments to Rule 009 introduce Indigenous honoraria to allow cost recovery for Elders and Knowledge Holders who provide expert evidence on traditional land use, environmental studies, or participate in oral Indigenous knowledge sessions. It also includes professional fees for consultation coordinators and staff who support Indigenous groups' involvement in AUC proceedings. This is an interim measure until the AUC establishes a formal consultation and engagement process to assess Indigenous honoraria and costs.

### Revised Rule 009 forms

The AUC has revised its [Costs Application Form](#) and [Intervener Costs Spreadsheet](#) to reflect the amendments. Additionally, Rule 009 now includes a [Costs Eligibility Form](#), which is to be used as indicated under Rule 009.

### **Rule 001**

Although Rule 001 was not explicitly mentioned in the Rule 009 consultation, the Rule 001 amendments are consequential and fall within the scope of the issues considered in the Rule 009 consultation. As a result, the AUC is satisfied that the Rule 009 consultation feedback adequately supports the Rule 001 amendments and further consultation on these consequential amendments is unnecessary.

Major changes to Rule 001 include:

- Revised definition of representative.
- Definition of self-representation.
- Representation at a proceeding is required to be through a representative or by self-representation.

The AUC thanks all stakeholders who participated in the AUC's engagement on these amendments. The feedback received was valuable and helped shape the final amendments.

### **Transition**

Versions of both Rule 009 and Rule 001 will be available on the [AUC's website](#) during the transition period. To confirm which version of Rule 009 and Rule 001 applies to your participation in a specific proceeding, contact Debra Hoffman at [debra.hoffman@auc.ab.ca](mailto:debra.hoffman@auc.ab.ca) or Kellie Benoché at [kellie.benoche@auc.ab.ca](mailto:kellie.benoche@auc.ab.ca).

The AUC thanks parties for their participation in the consultation process. Any questions related to this bulletin may be directed to JP Mousseau at [jp.mousseau@auc.ab.ca](mailto:jp.mousseau@auc.ab.ca).

Alberta Utilities Commission