

Facilities application process

Step 1: Public consultation by the applicant

An applicant is required to conduct a participant involvement program prior to the submission of an application to the AUC. The consultation involves notification and informal discussions with potentially affected parties.

Step 2: Application submitted by the applicant

In the application, considerations should be made for the issues which came up during the public consultations and the applicant should consider making amendments to the proposal to address concerns. Any unresolved objections must be identified in the application before submitting to the AUC.

Step 3: Public notification

Once the AUC receives an application, the AUC issues a notice to advise potentially impacted parties that an application has been received for a project. The notice provides a deadline for submissions and information about how to register any concerns.

Step 4: Public submissions to the AUC

Any unresolved objections or concerns about the proposed project are submitted to the AUC. These objections are publicly available and can be viewed through the AUC's eFiling System.

Step 5: Continued consultation and negotiation and public notification

The applicant and affected parties can continue to work to resolve outstanding issues throughout the application process. If there are outstanding issues which cannot be resolved through consultation and negotiation, the AUC will issue a notice of hearing which sets a date for the commencement of the public hearing and other process steps to review the application.

Step 6: Public hearing

A public hearing functions similar to a court proceeding and gives participants the ability to provide evidence and cross-examine the applicant. It can be a written process, but in many cases facility applications are considered in a virtual or live oral hearing.

Step 7: Decision is issued (typically within 90 days of the close of the record)

Facility applications can be approved, denied or approved with conditions. Need Identification Document applications from the AESO may be approved, denied or sent back to the AESO with suggestions for changes. The AUC must consider the AESO's assessment of the need to be correct unless an interested person shows that the application is technically deficient or to approve it would be contrary to the public interest.

Step 8: Right to appeal

A separate review can be requested from the AUC, through AUC Rule 016: *Review of Commission Decisions*, or through a permission to appeal application made to the Court of Appeal of Alberta within 30 days of the date the decision was issued.

Step 9: Construction and operation

Permits and licences are issued to build and operate the facility upon approval of the facility application by the AUC. The construction and operation of the project must adhere to the conditions set out in the decision.