

**Alberta Electric Utilities Act (EUA):
Section 6 Committee**

Phase I Interim/Progress Report

Submitted to the Minister of Energy

March 28, 2007

**On Behalf of the Section 6
Committee**

**By Section 6 Chair/Mediator
Dr. Jonathan Raab
Raab Associates, Ltd.**

I. Background Section¹

Section 6 of the EUA requires that “*Market participants are to conduct themselves in a manner that supports the fair, efficient and openly competitive operation of the market.*”

Based on feedback from market participants, the Alberta Department of Energy (ADOE) and the MSA agreed that further clarifying Section 6 was necessary and would provide greater certainty for existing and new investment in Alberta’s electricity industry. The ADOE consulted with electric industry stakeholders on a plan to further clarify Section 6.

The actual consultation involves the formation of a Section 6 Committee, made up of a broad representation of electric industry stakeholders that will make recommendations to the Minister of Energy in two phases²:

- A) Phase I: To initially recommend, by March 31, 2007, a set of ‘principles’ to further clarify Section 6 of the EUA.
- B) Phase II: To subsequently recommend, by June 30, 2007, how such ‘principles’ should be made binding on all market participants (e.g., through regulations, rules, guidelines, etc.), and which agencies (e.g. the MSA, Alberta Energy and Utilities Board or the Alberta Electric System Operator) will ensure compliance with these ‘principles’.

Deputy Minister McFayden of the ADOE addressed the Committee at its first meeting on January 25, 2007 and indicated that, given the expiry of the PPA holding restrictions, there was a need to implement a new framework to ensure the continued protection of the sanctity of competition. The objective is to ensure the framework continues to provide for a fair outcome for both suppliers and load. The Deputy reaffirmed that the ADOE did not intend to proceed with the disposition of the Genesee PPA until this framework was in place.

The Deputy Minister also advised the Committee that the Minister and the ADOE will be greatly assisted by substantial stakeholder and agency consensus on key points as it develops this new framework.

II. Brief Description of Phase I Process

The Section 6 Committee is comprised of 25 agencies and organizations representing government, generators, suppliers, and load (See Appendix I for Committee member organizations and their representatives).

¹ This is a preliminary background section that may be fleshed out further in Phase II by the Committee to ensure comprehensiveness and balance.

² See Appendix B for ADOE invitation letter and full Terms of Reference.

The Section 6 Committee is being chaired and mediated by an independent mediator, Dr. Jonathan Raab of Raab Associates, Ltd. Dr. Raab has extensive experience in mediation of electricity issues, and is a former regulator with a strong academic background.

The full Committee has met for 7 day-long meetings during Phase I in Calgary³. See Appendix C for the Committee's adopted groundrules.

In addition to the formal Committee meetings, many of the Committee members drafted various background materials and proposals on a range of topics for the Committee to consider, and several subcommittees met regularly between meetings to develop proposals and background material for the Committee's consideration.

III. FEOC Definitions (Section 6 language, and Committee language on individual terms)

“Market participants are to conduct themselves in a manner that supports the fair, efficient and openly competitive operation of the market.” (Sec 6 EUA)

3.1 Existing EUA Definitions

The Committee determined that the following definitions, currently appearing in the EUA, would be helpful as it considered the tasks at hand:

*“**Market**” means any type of market through or under which an offer, purchase, sale, trade or exchange of electricity, electric energy, electricity services or ancillary services takes place in relation to the production or consumption of electricity, electricity energy, electricity services or ancillary services.⁴”*

(EUA Section 1 (1) dd)

*“**Market participant**” means any person that supplies, generates, transmits, distributes, trades, exchanges, purchases or sells electricity, electric energy, electricity services or ancillary services.”*

(EUA Section 1 (1) ee)

³ The Committee had two meetings in 2006 to provide ADOE with feedback on the Section 6 Committee process and to assist in selecting the Chair/Mediator.

⁴ The focus of the Section 6 Committee is on all markets, not only wholesale spot markets.

3.2 FEOC Definitions as they relate to Market Participant Conduct

The Committee unanimously agreed to the following FEOC definitions:

- (a) **“Fairness” requires that everyone is working on a level playing field (i.e., “equality of opportunity”).** *“Fairness” speaks to fair competition, not to the market outcome (i.e. the perceived “fairness” of prices).*
- (b) **“Market Efficiency” requires that transactions between willing counterparties are unimpeded.** *“Efficiency” relates to market efficiency, not to power system efficiency.*
- (c) **“Openly Competitive” requires that competition is unimpeded.** *“Openly competitive” relates to the opportunity to compete, not to the amount of competition.*

IV. Principles of Participant Conduct

The Committee unanimously agreed to the following Preamble, Principles of Participant Conduct, and Purpose Statements⁵:

4.1 Preamble:

A **‘Principle of Participant Conduct’** is an identified act or practice of a market participant that supports the fair, efficient and openly competitive operation of the market. ‘Principles of Participant Conduct’ are intended to provide clarity to market participants and implementing agencies on the meaning of section 6 of the EUA. Market Participants are expected to conduct themselves in accordance with Market Rules⁶ and Principles of Participant Conduct, and consider MSA guidelines. Any ambiguity should be resolved in a manner that supports FEOC. Acts or practices not included in the ‘Principles of Participant Conduct’ are not deemed by omission to be supportive of fair, efficient and openly competitive.

⁵ The Committee agrees that the Principles may be further refined by the Committee during its Phase II deliberations, and hence should be considered preliminary.

⁶ Market Rules include laws, regulations, ISO rules, and ISO operating policies and procedures.

4.2 Principles of Participant Conduct:

1. ***Governance--Market participants are responsible for having appropriate corporate governance to ensure compliance with the Market Rules.***

*Purpose*⁷: Market participants are responsible to know and respond to the Market Rules MSA guidelines and Principles of Participant Conduct, and will adopt and maintain appropriate governance procedures. Ignorance of any of the above will not constitute an excuse from their application.

2. ***Misleading or Fraudulent Activities--Market participants shall not engage in any activity aimed at misleading others or in fraudulent activities.***

Purpose: Market participants must not use misleading or fraudulent means to deceive other market participants, or implementing agencies. The result of misleading or fraudulent behaviour is to create significant economic inefficiency, distrust in the market and additional market risk.

3. ***Endangering the Power System--Market participants shall not engage in any behaviour that is intended to endanger the safety, security, or reliability of the power system.***

Purpose: Certain activities may create an economic benefit to parties, but at the risk of damage to power system components. Market participants are forbidden from knowingly endangering the power system.

4. ***Information Integrity--All information released by a market participant, either to a designated government agency, or publicly, must be provided in an accurate, factual and timely manner, not be knowingly false or misleading and must not contain any material omissions.***

5. ***Preferential Information Sharing--Market participants shall not preferentially share proprietary information, including for the purposes of but not limited to, undermining or preventing competition.***

6. ***Public Information Disclosure: The public dissemination of market information must be balanced by the value of proprietary business information to market participants and the market.***

7. ***Anti-Competitive Behaviour—Market participants shall not behave in ways that seek to undermine or prevent competition (neither competitive responses nor competitive market entry) including practices that are predatory, exclusionary or disciplinary on a competitor or competitors.***

⁷ The Committee agreed that some of the Principles were sufficiently self-explanatory and did not require “Purpose” statements. Hence not all the Principles have Purpose statements.

Purpose: The efficiency of the market is directly affected by the response of competitors to profit incentives in the market. This is an important objective to protect open competition rather than competitors.

8. **Market Power Abuse**—*Market participants shall not abuse market power.*

Purpose: This principle is intended to govern market participant behaviour based on free and open competition such that market prices reflect market fundamentals.

9. **Circumvention Behaviour**—*Market participants shall not pursue strategies where the intent is to circumvent Market Rules or Principles of Participant Conduct.*

10. **Acting in Self Interest**—*Market participants are free to act in their self-interest based on market incentives provided that they abide with the Market Rules and Principles of Participant Conduct, and take into consideration MSA guidelines.*

Purpose: Market participants are entitled to act in their own economic interest, within the context of good market behaviour consistent with the Market Rules and Principles of Participant Conduct and with regard to the MSA Guidelines. There is no requirement on market participants to create particular social or market outcomes.

V. Phase II Process and Intended Work Products

During Phase II the Committee will develop specific standards, mechanisms, and processes through which these principles can be operationalized, including:

- a. Recommendations on how such ‘principles’ developed to support the fair, efficient and openly competitive operation of the market should be made binding on all market participants and thus be given ‘force and effect’ (e.g., through regulations, rules, guidelines, etc.).
- b. Recommendations on which agencies (e.g. the Market Surveillance Administrator, Alberta Energy and Utilities Board or the Alberta Electric System Operator) will ensure compliance with these ‘principles’ by market Participants.

In its Phase II work, the Committee plans to examine each of the above principles to see what further elaboration or detailed articulation is required to make the principles operational and effective in the Alberta market, and to adequately ensure compliance and proper oversight. In making this assessment, the Committee will take in to account how these principles are currently disciplined by competition and what Market Rules and other relevant mechanisms currently exist. This analysis will assist the Committee in understanding where the gaps exist and what new or different mechanisms and rules are needed.

In its Phase II work, the Committee may also consider additional enhancements or refinements to the market framework that addresses specific or discrete issues.

Appendix A: Section 6 Committee Members
(Representatives and Alternates)

Organization	Representative/Alternate
Agrium	Calvin Offereins
Alberta Direct Connect Consumer Association (ADC)	Jack Joys
Alberta Electric System Operator (AESO)	Kent McDuffie
Alberta Energy and Utilities Board (AEUB)	Bob Heggie
	Fino Tiberi (alternate)
Alberta Energy Savings	Ken Hartwick
	Barb Baker (alternate)
Alberta Federation of Rural Electrification Association (AFREA)	Brian Jackowich
AltaGas	Marshal Thompson
	Lynn Meyer (alternate)
ATCO Power	Carl Fuchshuber
	Rick J. Brouwer (alternate)
Alberta Urban Municipalities Association (AUMA)	Larry Sirman
Balancing Pool	Gary Reynolds
	Doug Heath (alternate)
BP Canada	Steve Dowhanik
	Maryn Sigurdson (alternate)
Constellation Energy	Bruce Roberts
Alberta Department of Energy (ADOE)	Kellan Fluckiger
Direct Energy	Clinton Roeder
EnCana	Rod Crockford
ENMAX	Rob Hemstock
EPCOR	Jim Oosterbaan
	Bryan DeNeve (alternate)
Imperial Oil Resources	Sharon Kaiser
	Richard Gallant (alternate)
Industrial Power Consumers Association of Alberta (IPCAA)	Dan Macnamara
Independent Power Producers Society of Alberta (IPPSA)	Evan Bahry
Market Surveillance Administrator (MSA)	Martin Merritt
	Wayne Silk (alternate)
Nexen Marketing	David Axford
TransAlta	Sterling Koch
	Marcy Cochlan (alternate)
TransCanada	Karl Johannson
	Vince Kostaskey (alternate)
Utilities Consumer Advocate (UCA)	David Gray
Chair/Mediation & Support Staff	
Raab Associates, Ltd.	Jonathan Raab
Alberta Department of Energy (ADOE)	Gil Nault
	Peter Leier

Appendix B: Final Terms of Reference to Initiate Section 6 Consultation



Electricity

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Telephone 780/644-4770
Fax 780/427-8065
File No. 13613-02 ELEC

November 15, 2006

To: *Electric Utilities Act* Advisory Committee Members and Interested Parties

RE: Final Terms of Reference to Initiate Consultation on Principles for a Fair, Efficient and Openly Competitive Market

On October 4, 2006, the Department circulated a draft Terms of Reference to initiate a consultation on 'principles' for a fair, efficient and openly competitive market.

The Department views the development of 'principles' to further clarify Section 6 of the *Electric Utilities Act* (EUA) as an important first step in its commitment to provide clarity on Alberta's approach to a fair, efficient and openly competitive market. In addition, these 'principles' should assist in an approach to mitigate potential market power abuse in our electricity market, and provide certainty for contracting and investment in the Alberta electricity market.

As of the October 18, 2006, deadline date, the Department received comments from 15 stakeholders regarding the draft Terms of Reference for this "Section 6 Committee". Following careful consideration of these stakeholder comments, the Department has made a number of revisions to improve the committee structure, process and deliverables.

Based on stakeholder input, the membership in the Section 6 Committee will be expanded to allow broad stakeholder participation. The selection process for the independent chair/facilitator will now include input from the Section 6 Committee members. The timeline has been adjusted to allow for selection of the chair/facilitator and to provide more time for the Section 6 Committee to complete its work. The final report will now be delivered in two stages, starting with the recommended 'principles' that further clarify Section 6 and followed by the recommendations for implementation of, and compliance with, these 'principles'.

The finalized Terms of Reference, and a discussion of the stakeholder comments, are attached for your information.

The Department has set out the following next steps:

- Interested stakeholders may contribute to the list of non-partisan, knowledgeable people with group management/process skills, for consideration as a potential chair/facilitator, to Gil.Nault@gov.ab.ca, by 4:30 p.m. on Monday, November 20, 2006.
- Interested stakeholders desiring to be on the Committee must provide the name of their senior executive level participant for the Section 6 Committee, to Gil.Nault@gov.ab.ca, by 4:30 p.m. on Friday, November 24, 2006.
- The Department will compile a “short list” of candidates having the availability and credentials of a potential chair/facilitator, then convene a preliminary meeting of the Section 6 Committee in early December 2006.
- Based on feedback from that preliminary meeting, the Department will retain the chair/facilitator in December and ask that person to convene their first meeting of the Section 6 Committee in January 2007.

As per the June 26, 2006, letter from the Deputy Minister of Energy and the Executive Director of the Electricity Division, to the EUA Advisory Committee, until any new regulatory provisions come into effect:

“...the Department expects the MSA to monitor the electricity market in Alberta with heightened diligence, given the lack of a replacement for the now expired holding restrictions. We also expect the MSA to take whatever actions are appropriate and necessary with its current set of tools to ensure the highest level of integrity of the market based principles of fair, efficient and open competition.”

We look forward to your continued participation in this important initiative.

Yours truly,

original signed by

Kellan Fluckiger
Executive Director

Attachment

Terms of Reference

Electric Utilities Act Section 6 Committee

Purpose of the Section 6 Committee (the “Committee”)

- A. To initially recommend, by March 31, 2007, a set of ‘principles’ to further clarify Section 6 of the *Electric Utilities Act* (EUA) that requires market participants to “conduct themselves in a manner that supports the fair, efficient and openly competitive operation of the market.”
- B. To subsequently recommend, by June 30, 2007:
 - o how such ‘principles’ developed to support the fair, efficient and openly competitive operation of the market should be made binding on all market participants and thus be given ‘force and effect’ (e.g., through regulations, rules, guidelines, etc.), and
 - o which agencies (e.g. the Market Surveillance Administrator, Alberta Energy and Utilities Board or the Alberta Electric System Operator) will ensure compliance with these ‘principles’ by market participants.

Committee Representation

- The Committee will be open to electric industry stakeholders that have an interest in contributing to the clarification of Section 6 of the EUA.
- One representative of each company, organization and association may attend, including a representative from each of the Alberta Electric System Operator, Alberta Energy and Utilities Board, Balancing Pool, Department of Energy, Market Surveillance Administrator and the Utilities Consumer Advocate.
- Committee members must be at a senior executive level, no further down in the constituent organization than CEO (or equivalent), or a direct report to the CEO. No other substitutes, alternates or delegates will be allowed during the term of the Section 6 Committee’s work.
- In performing the work outlined in part B above, the Committee may elect to form a subcommittee of a single representative from each Committee member’s organization. This representative may be at a different level than the CEO or direct report. This subcommittee shall not be formed until the work under part A above is substantially complete. This subcommittee shall bring any recommendations regarding part B deliverables back to the Section 6 Committee for consideration.

Role of Committee Members

- Each Committee member will be expected to participate throughout the term of the Committee’s work.
- Each Committee member will be expected to contribute in the development and refinement of Committee work products. All views of each Committee member will be shared with all Committee members.
- Each Committee member must state their agreement or lack thereof, to any proposed ‘principles’ and other recommendations. Committee members will be strongly encouraged to seek agreement on the key ‘principles’ to be included in the final report, but will have the right to dissent or offer alternate views on any issue.

Remuneration

- There will be no remuneration or expenses paid to Committee members by the Department of Energy.

Chair / Facilitator of the Committee

- The Department of Energy will work with stakeholders to choose an independent chair/facilitator.
- The Department of Energy, at its expense, will retain the independent chair/facilitator.
- The chair/facilitator will have demonstrated facilitation experience. It is desirable for the chair/facilitator to have expertise in competitive markets and experience in dealing with issues and principles of fair, efficient and open competition in emerging and restructuring markets.
- The chair/facilitator may consult with others or additional third party consultants as required to complete the work of the Committee within the time frame set out. Funding for any additional consultants will be provided by members of the Section 6 Committee.

Role of Chair / Facilitator of the Committee

- The chair/facilitator will guide the discussions of the committee, and will set out any further procedural and operational rules for the Committee.
- The chair/facilitator will determine how each Committee member will provide input and otherwise indicate their position on any proposed ‘principles’ and other recommendations.
- The chair/facilitator will prepare a final written report to the Minister of Energy setting out:
 - the discrete issues identified by the Committee;
 - a brief summary of the discussions of the Committee on each issue, any material dissenting views, and any additional studies or work products commissioned by the Committee to analyze issues;
 - the ‘principles’ arrived at by the Committee;
 - recommendations on any further work required to translate the ‘principles’ to practical working regulations, rules, guidelines, etc. for the Alberta market; and
 - recommendations on which agencies will ensure enforcement and compliance with the ‘principles’.
- The chair/facilitator is expected to comment on the existence and function of such ‘principles’ in other jurisdictions and may provide in the report its own views on ‘principles’ and other recommendations, in addition to those where there may or may not be Committee agreement on ‘principles’ and other recommendations.

Final Report

- The final report is a report of the chair/facilitator to the Minister of Energy and will not require the approval of all Committee members. It must fairly indicate dissenting opinions.
- The chair/facilitator must circulate and consider the comments of Committee members on a draft of the final report before submitting it to the Minister of Energy.

- The chair/facilitator will deliver the first part of the final report to the Minister once the Committee has completed the recommendations outlined in part A above. The second part of the final report will provide the recommendations outlined in part B above.
- The complete final report of the chair/facilitator will be public, but the Minister of Energy will determine the timing and method of making the final report public.

Initial Process

- Interested stakeholders will advise the Department of Energy as to who their Committee members will be by Friday, November 24, 2006.
- The Department will convene a meeting of Committee members in December 2006 for the purpose of selection of the chair/facilitator. The department will then retain the chair/facilitator.
- The chair/facilitator will convene the next meeting of the Committee in January 2007.

Implementation

- The Minister will take the final report under advisement and will reply in a timely manner as to whether and how the report will be implemented.

Appendix C: Section 6 Committee Groundrules

Alberta EUA Section 6 Committee Process Goals, Deliverables, Roles and Responsibilities, Decision Making, and Reports

Drafted by Chair/Mediator: Dr. Jonathan Raab, Raab Associates, Ltd.
Adopted by Section 6 Committee at its second meeting

Committee Goals and Deliverables

2. To recommend a set of 'principles' to further clarify Section 6 of the *Electric Utilities Act (EUA)* that requires market participants to "conduct themselves in a manner that supports the fair, efficient and openly competitive operation of the market," (by March 31, 2007)
3. To develop specific standards, mechanisms, and processes through which these principles can be operationalized, including:
 - a. To recommend how such 'principles' developed to support the fair, efficient and openly competitive operation of the market should be made binding on all market participants and thus be given 'force and effect' (e.g., through regulations, rules, guidelines, etc.), (by June 30, 2007).
 - b. To recommend which agencies (e.g. the Market Surveillance Administrator, Alberta Energy and Utilities Board or the Alberta Electric System Operator, etc.) will ensure compliance with these 'principles' by market Participants, (by June 30, 2007).

Committee Membership

4. Formal membership in the EUA Section 6 Committee (Committee) process is voluntary but must be approved by the Alberta Department of Energy (ADOE).
5. Each formal member organization will designate a lead representative, and, at their discretion, an alternate to participate in the Committee in the lead's absence. However, the lead representative must be the organization's CEO or a direct report to the CEO (or equivalent).
6. Each formal member organization will have no more than one seat at the Committee table.⁸
7. Following the second meeting of the Committee (February 5), no new Committee Members will be allowed unless agreed to by all Committee members.

⁸. However, ADOE and MSA will likely have one or more additional senior staffers in the room, but not at the Committee table, to assist the Committee and chair/mediator with the process as described further at the end of these ground rules.

Members' Roles and Responsibilities

8. Members will make every attempt to attend all scheduled meetings, to be on time, and to review all documents disseminated prior to the meeting. Members who can not send a representative to a scheduled meeting should let ADOE senior staffer, Gil Nault know prior to the meeting (by voice 780.422.6061 or [Gil Nault \[gil.nault@gov.ab.ca\]](mailto:gil.nault@gov.ab.ca)). For substantive matters, contact chair/mediator Dr. Raab at 617.350.5544 or Raab@RaabAssociates.org.
9. Members will be expected to participate in good faith in discussions including being truthful and communicative. Members also agree to act respectfully toward each other.
10. Members will not take positions in other Alberta forums that differ from their stated positions taken in this Committee.
11. It is the responsibility of the members to keep their organizations and constituencies up to speed on developments and issues concerning the Committee meetings.
12. Members will not speak on behalf of the Committee (e.g., to the press or at conferences) without the Committee's permission.
13. Members are encouraged to confer with representatives from other organizations and with the chair/mediator in between meetings.
14. If during the course of the Committee work, the members wish to make certain information confidential, the Committee will discuss developing a procedure for doing so.
15. Documents produced by Committee members for the Committee should be provided to the chair/mediator for circulation and posting on the Committee website at least 3 days prior to the next meeting.

Decision-making

16. The Committee will endeavor to make major substantive decisions by consensus of the member organizations, where consensus shall mean that every member organization is at least willing to live with a decision and chooses not to dissent. If unable to consent, a member will be expected to explain why and to try and offer a positive alternative. Members are responsible for voicing their objections and concerns.
17. Only the lead representative of a formal member organization, or an alternate in the lead's absence, will participate in formal decision-making.
18. Members of the Committee that need to confer with their principals or governing authorities on any Committee matter, will do so as expeditiously as possible and be given reasonable time to do so.
19. The chair/mediator's reports filed with the Alberta Minister of Energy will include text covering all areas of consensus, and a description of the alternatives preferred by member organizations in areas where consensus was not reached, if any. The descriptions of the alternative approaches on non-consensus issues, if any, will include the list of member organizations subscribing to the particular

alternative. Members will have an opportunity to review and provide comments to the chair/mediator on both the consensus and non-consensus language in a draft of the report prior to finalization.

20. Abstention from either consensus or non-consensus issues is not allowed, with the possible exception of a government agency that may have a potential jurisdictional conflict on a particular issue.

Chair/Mediator's Role and Responsibilities:

21. Set out procedural and operational rules for the Committee.
22. Work with the Committee to effectively and efficiently progress discussions to be able to provide the deliverables set out under "Goals and Deliverables" above.
23. Determine how each Committee member will provide input and indicate their interests and positions on any proposed 'principles' and other recommendations that may be included in the final report.
24. Encourage each Committee member to state their agreement or lack thereof, to any proposed 'principles' and other recommendations,
25. Work with Committee members and encourage them to reach agreement on the key 'principles' and other recommendations,
26. Provide Committee members the right to dissent or offer alternate views on any issue.
 - a. Prepare an interim and final report to the Minister of Energy. The Interim Report will deliver the final draft principles and the Final Report will delineate all the recommendations of the Committee.⁹ The Interim Report will be delivered by March 31, 2007 and the Final Report by June 30, 2007, as described below (in Final Report Section)
27. The chair/mediator will schedule, organize and conduct all meetings of the Committee in a professional and non-partisan manner.
28. The chair/mediator will draft all agendas, high-level meeting summaries, and other documents as required, and distribute them to representatives in a timely fashion (e.g., meeting summaries within a week following a Committee meeting, and all other documents at least 3 days prior to the next meeting). All documents will be distributed via email first, and then posted to the Committee website <http://alberta.raabassociates.org/>
29. The chair/mediator will confer with representatives as needed throughout the term of the Committee.
30. The chair/mediator will be available to explain the Committee's process and work products to the Minister of Energy or other entities, as needed and requested.

⁹ The final draft principles of the Committee filed in the Interim Report may be fine tuned by the Committee toward the end of the process.

Final Report

31. The final written report will set out the discrete issues identified by the Committee;
 - a. A brief summary of the discussions of the Committee on each issue, any material dissenting views, and any additional studies or work products commissioned by the Committee to analyze issues;
 - b. The final ‘principles’ arrived at by the Committee;
 - c. Recommendations on any further work required to translate the ‘principles’ to practical working regulations, rules, guidelines, etc. for the Alberta market;
 - d. Recommendations on which agencies will ensure enforcement and compliance with the ‘principles’, and
 - e. Any other related recommendation which the Committee wishes to put forward.
32. The chair/mediator must circulate and consider the comments of the Committee members on a draft of the final report before submitting it to the Minister of Energy.
33. The final report is a report of the chair/mediator and will not require the approval of all the Committee members. The final report must fairly indicate Committee views including dissenting opinions
34. The chair/mediator may comment on the existence and function of such ‘principles’ in other jurisdictions and may provide in the final report its own views on ‘principles’ and other recommendations, in addition to those where there may or may not be Committee agreement on ‘principles’ and other recommendations.¹⁰

ADOE’s Roles and Responsibilities

35. The Executive Director of the Electricity Division of the ADOE will be a member of the Committee and therefore will adhere to the “Committee Member Roles and Responsibilities” described above.
36. The Executive Director will also keep the Minister of Energy and Deputy Minister of Energy apprised of the progress of the Committee
37. Inquiries from the press regarding the Committee process should be addressed by the ADOE as the host/convener for the process. The ADOE will consult with the chair/mediator in crafting responses to the press, as time allows
38. In addition, ADOE, as the convener and host of the process will provide additional senior staffers which will have the following additional roles and responsibilities:
 - a. Oversee and administer the contract with chair/mediator.
 - b. Provide administrative, procedural and other support services for the Committee and the chair/mediator, as requested.

¹⁰ Note: Although the chair/mediator has this right, it is not his expectation that he will be putting forward any recommendations of his own.

***Other Government Agencies (MSA, AESO, EUB and Balancing Pool)
Roles and Responsibilities***

39. Other Government Agencies will be members of the Committee and adhere to the “Committee Member Roles and Responsibilities” described above.
40. Other Government Agencies will also provide research and other technical support services for the Committee and the chair/mediator, as requested.

The above may be modified during the course of the Committee by the chair/mediator, but only after consultation with the Committee members.