

Bulletin 2022-12

December 16, 2022

Further consultation for potential changes to AUC Rule 012: Noise Control

The Alberta Utilities Commission (AUC) has undertaken consultation on potential changes to certain provisions of [Rule 012: Noise Control](#) to streamline and improve regulatory and adjudicative processes. In [Bulletin 2022-08](#), the AUC proposed changes to Rule 012 and requested written feedback on these changes.

Stakeholder feedback

The AUC received considerable feedback from stakeholders. The AUC has reviewed this feedback and notes that stakeholders generally indicated the proposed changes are positive and improve clarity.

Several stakeholders identified matters for consideration in the Rule 012 revision process in addition to the changes initially proposed in Bulletin 2022-08. These included the development of applicable permissible sound levels (PSLs) for receptors in urban areas and providing clarification on determination of PSLs for new dwellings in Rule 012.

Further consultation

The AUC is aware that urban PSLs and new dwelling PSLs were key topics in two recent noise complaint proceedings Proceeding 27276 and Proceeding 27444:

- Decision 27276-D02-2022 recommended that the method of establishing PSLs in urban environments be further explored, specifically whether urban PSLs should be treated differently and whether changes related to urban PSLs should be implemented.
- Decision 27444-D01-2022 recommended that the wording associated with the new dwelling rule and the overall approach to the determination of urban PSLs be further examined.

The AUC has decided to conduct another round of written consultation on potential Rule 012 revisions, to address urban PSLs and new dwelling PSLs.

Discussion questions

Further consultation will be focused exclusively on two topics: urban PSLs and new dwelling PSLs. More specifically, the AUC seeks feedback from stakeholders on the following questions:

1. Do you believe changes are required to Rule 012 to specifically address PSLs for urban environments in light of Decision 27276-D02-2022 or otherwise? Please explain.

2. If you believe changes are required to Rule 012 to specifically address PSLs for urban environments:
 - 2.1. Please discuss whether the existing provisions in Rule 012 for assessing ambient sound levels and the use of A2 adjustments are adequate to determine appropriate PSLs for urban environments. Please include a discussion of the pros and cons associated with using the existing provisions to determine PSLs for urban environments.
 - 2.2. Please comment on how to define an urban receptor in Rule 012.
 - 2.3. Please provide any recommendations for determining appropriate PSLs for urban environments, including any specific considerations for industrial versus residential areas. Please include a discussion of the pros and cons associated with the recommended method to determine PSLs for urban environments.
 - 2.4. Please comment on any other factors that should be considered in the context of establishing PSLs for urban environments.
3. Do you believe that changes are required to update the sections of Rule 012 that address PSLs for new dwellings (i.e., sections 2.3, 2.4 and 2.5 and the definition of new dwelling in Appendix 1 – Glossary) in light of Decision 27444-D01-2022 or otherwise? Please explain.
4. If you believe changes are required to update the sections of Rule 012 that address PSLs for new dwellings:
 - 4.1. Please specify which paragraphs or sections of Rule 012 should be updated and provide any recommended updates. Please include a discussion of the pros and cons associated with the existing provisions and any recommended updates.
 - 4.2. Please explain how you believe PSLs for new dwellings should be established. In particular, please describe recommendations to provide enhanced clarity to the existing new dwelling provisions in Rule 012.
 - 4.3. Please comment on any other factors that should be considered in the context of establishing PSLs for new dwellings.

Please send your feedback to Joan Yu at joan.yu@auc.ab.ca by February 17, 2023.

The AUC thanks stakeholders for their time and participation in the consultation process. Any questions related to Rule 012 and the associated consultation process may be directed to Brian Shand at brian.shand@auc.ab.ca or Joan Yu at joan.yu@auc.ab.ca.

Alberta Utilities Commission