



July 8, 2022

Joan Yu  
Senior Science Analyst  
Alberta Utilities Commission  
1400, 600 Third Avenue SW  
Calgary, AB T2P 0G5

**Re: AUC Bulletin 2022-08: Initiation of Stakeholder Consultation Process for AUC Rule 012: Noise Control**

Dear Ms. Yu,

On behalf of the Canadian Renewable Energy Association (CanREA), we appreciate the opportunity to provide comments on the proposed amendments to *Rule 012: Noise Control*. CanREA is the voice for wind energy, solar energy and energy storage solutions that will power Canada's energy future. Our association represents more than 250 companies active in the Canadian wind energy, solar energy and energy storage markets, including equipment manufacturers, project operators and developers, and industry service providers.

Overall, we are supportive of measures taken to increase clarity, reduce redundancy and generally simplify administrative processes related to *Rule 012*. However, we do have several comments relating to the updated definition of "Noise Receptors" under Topic 1.1 of the document "Rule 012: Noise Control Revision Matrix", as well as to alignment with the Alberta Energy Regulator (AER). The comments are related to the following issues:

- Definition of Facility Boundaries
- Consideration of "Other Types of Noise Receptors"
- Alignment with Alberta Energy Regulator *Directive 38: Noise Control*

Definition of Facility Boundaries

The proposed definition of "noise receptor" includes consideration of a dwelling's distance from project boundaries. At various points throughout the proposed definition, the boundary is referred to as the "facility property boundary," the "centre point of the tower of a wind turbine" or the "substation boundary."

The variety of references to different boundaries is likely to cause some confusion, particularly as it relates to the determination of which dwellings may be located within 1.5 km of a project. It is possible that there may be dwellings that fall within this radius when calculated from some of the proposed boundaries, but not with others. For instance, a dwelling may be within 1.5 km of the "facility property boundaries," but further away from the "centre point of the tower" of the nearest wind turbine. CanREA members recommend that the proposed definition refer specifically to dwellings "within 1.5 km of any above ground project infrastructure," in order to provide improved clarity for developers, landowners and other stakeholders. This recommended change to the proposal is likely to reduce confusion for those participating in the *Rule 012* process.

Consideration of "Other Types of Noise Receptors"

The proposed amendment to the definition of "facility receptors" offers the follow consideration for "non-dwelling" receptors:

*The Commission may consider other types of noise receptors (e.g., sites of ceremonial or cultural importance) on a case-by-case basis. In these circumstances, the party who requests consideration of a non-dwelling receptor must provide justification or explanation for why noise compliance at this location should be considered.*

CanREA members support efforts to consider other types of noise receptors in their analyses, especially as relate to sites of ceremonial or cultural importance. However, these considerations, as written, are too open ended and provide opportunities for abuse by those wanting to block project development, especially if these decisions are made on a “case by case basis,” without further context on the decision-making process.

As a result, we recommend that the third paragraph be replaced by the following:

*Based on information received from project stakeholders throughout the Participant Involvement Program (PIP), noise compliance at other non-dwelling receptors (e.g., sites of ceremonial or cultural importance) may need to be evaluated as part of the Noise Impact Assessment (NIA). In these circumstances, the party who requests consideration of a non-dwelling receptor must provide justification or explanation to the Proponent for why noise compliance at this location should be considered. This information, and the Proponent’s response to such request(s) including rationale as to why a receptor was included or excluded from the NIA, must be documented as part of the PIP.*

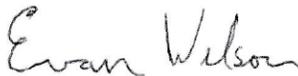
Alignment with Alberta Energy Regulator *Directive 38: Noise Control*

CanREA members request further information from the AUC regarding any efforts made to collaborate with the AER to align the definitions of a “noise receptor” under *Rule 12* and *Directive 38*. Alignment is seen to be critical by our members, as *Rule 012* limits relate to “the highest cumulative sound level.” Because the cumulative noise level results from contributions from electricity generators operating under *Rule 012* and energy producing facilities operating under AER *Directive 38*, we are seeking to understand the measures taken to ensure alignment between the two documents.

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CanREA appreciates the opportunity to comment on the proposed changes to *Rule 012: Noise Control*. We are supportive of measures proposed to streamline and clarify the Rule, and offer these changes to provide further clarity for developers, landowners and communities. We would be eager to discuss our recommendations with you in more detail. Please let us know if you are interested and we can schedule a meeting at your earliest convenience.

Regards,



Evan Wilson