

Rule 0XX

The Office of the Utilities Consumer Advocate Administration Fee

This rule was approved by the Alberta Utilities Commission on Month XX, 202X and is effective immediately.

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1 Definitions

In this rule:

- (a) “active sites” means the sum of commercial, farm, and residential metered sites identified for a utility in the December 31 *MSA-Retail-Statistics* file;
- (b) “Commission” means the Alberta Utilities Commission;
- (c) “Minister” means the Minister determined under Section 16 of the *Government Organization Act* as the Minister responsible for Schedule 13.1 to that Act;
- (d) “UCA” means the Office of the Utilities Consumer Advocate;
- (e) “UCA administration fee” has the same meaning as “administration fee” in Section 70.1(1) of the *Alberta Utilities Commission Act*; and
- (f) “utility” means a utility listed in Schedule A.

2 Imposition of UCA administration fee

A utility must pay a portion of the UCA administration fee to the Minister in the amount and manner set out in an order to pay issued by the Commission to the utility.

3 Determination and calculation of UCA administration fee

- (1) The Commission shall calculate the amount of the UCA administration fee that a utility must pay under Section 2 by:
 - (a) categorizing each utility in Schedule A as either Category 1 – Gas distribution or Category 2 – Electric distribution;
 - (b) allocating the UCA administration fee to Category 1 – Gas distribution and Category 2 – Electric distribution based on the relative amount of services that the UCA provides to customers of the utilities in each Category for a fiscal year (April 1 to March 31), as determined by the Minister and reported to the Commission; and
 - (c) allocating the amounts under Section 3(1)(b) to each utility within a Category considering the active sites posted on the Market Surveillance Administrator’s website in April.
- (2) The Commission shall, in an order to pay issued to a utility, include the calculation made under Section 3(1) for the utility.

4 Late payment penalty

If a utility fails to pay the UCA administration fee in accordance with the Commission's order to pay, then the Commission may impose a late payment penalty in accordance with the time periods and formula set out in Schedule B.

5 Appeal

- (1) A utility to which an order to pay is issued under Section 2 or the UCA may appeal the order, in whole or in part, to the Commission.
 - (d) An appeal must be made within 30 days of the mailing date shown on the order.
- (2) An appeal must identify the ground(s) alleged, set out any relevant facts, and state the outcome requested.
- (3) An appeal may only be made on the grounds that:
 - (a) the active sites set out in the order to pay is incorrect; or
 - (b) an error was made in issuing an order to pay to the utility because the utility was not subject to the UCA administrative fee.
- (4) An appeal must:
 - (a) be in writing;
 - (b) be emailed to financeservices@auc.ab.ca;
 - (c) identify the name of the utility;
 - (d) be signed by the utility; and
 - (e) provide a mailing address and an email address for service.
- (5) Despite Section 5(1), the utility must pay the UCA administration fee in the amount and manner set out in the order under Section 2.
- (6) If the Commission, after considering the appeal, changes the amount of the UCA administration fee owed under Section 2 by the utility, and the amount owed is less than the amount paid, then the Commission shall request that the Minister reimburse the difference to the utility without interest.

Schedule A

Category 1 – Gas distribution
Apex Utilities Inc.
ATCO Gas and Pipelines Ltd. (ATCO Gas - Gas Distribution)
Category 2 – Electric distribution
ATCO Electric Ltd.
ENMAX Power Corporation
EPCOR Distribution & Transmission Inc.
FortisAlberta Inc.

Schedule B

Number of days the UCA administration fee is unpaid	Late payment penalty determination
Time period 1 one to 15 days	<p>The late penalty is calculated using the following formula:</p> <p>A x B x C</p> <p>where:</p> <p>A is the unpaid UCA administration fee amount, in dollars.</p> <p>B is the prime interest rate as stated on the Bank of Canada website, effective on the date the Commission's order to pay was issued, plus 10 per cent. This amount is then converted to a daily rate.</p> <p>C is the number of days the UCA administration fee remains unpaid, from the day after the payment due date until the payment is received, to a maximum of 15 days.</p>
Time period 2 16 to 30 days	<p>The late penalty is calculated using the following formula:</p> <p>A x B x C</p> <p>where:</p> <p>A is the unpaid UCA administration fee amount, in dollars.</p> <p>B is the prime interest rate as stated on the Bank of Canada website, effective on the date the Commission's order to pay was issued, plus 20 per cent. This amount is then converted to a daily rate.</p> <p>C is the number of days the UCA administration fee remains unpaid, from the day after the payment due date until the payment is received, less 15 days to a maximum of 15 days.</p>
Time period 3 31 to 45 days	<p>The late penalty is calculated using the following formula:</p> <p>A x B x C</p> <p>where:</p> <p>A is the unpaid UCA administration fee amount, in dollars.</p> <p>B is the prime interest rate as stated on the Bank of Canada website, effective on the date the Commission's order to pay was issued, plus 30 per cent. This amount is then converted to a daily rate.</p>

	<p>C is the number of days the UCA administration fee remains unpaid, from the day after the payment due date until the payment is received, less 30 days to a maximum of 15 days.</p>
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