



ATCO Electric
Code of Conduct Regulation (A.R. 58/2015)
Compliance Plan

Effective Date: June 27, 2017



ATCO Electric
Code of Conduct Regulation Compliance Plan

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ATCO Electric Code of Conduct Regulation Compliance Plan

Purpose

ATCO Electric Distribution ("ATCO Electric"), a division of ATCO Electric Ltd., builds, operates and maintains electric distribution facilities in Alberta. ATCO Electric is a Distributor as defined in the *Code of Conduct Regulation*, A.R. 58/2015 (the "Regulation"). This *Code of Conduct Regulation*, A.R. 58/2015 Compliance Plan (the "Compliance Plan") applies to ATCO Electric's conduct in managing ATCO Electric Ltd.'s distribution facilities as well as the distribution facilities of certain Rural Electrification Associations. For greater certainty, this Compliance Plan does not apply to the Transmission Division of ATCO Electric Ltd. or its operations.

ATCO Energy Ltd. ("ATCO Energy") is a corporation registered under the *Canada Business Corporations Act*, RSA 1985, c. C-44 that sells and provides Retail Energy Services to Customers.

ATCO Electric and ATCO Energy each have their own business processes and do not share records, accounts or employees.

Under the Regulation, ATCO Energy is an affiliated electricity and gas retailer of ATCO Electric as both ATCO Electric Ltd. and ATCO Energy are indirect, wholly-owned subsidiaries of Canadian Utilities Limited. Accordingly, ATCO Electric must obtain approval of this Compliance Plan from the Alberta Utilities Commission (the "AUC") in accordance with the Regulation. This Compliance Plan will be effective on June 27, 2017 and remains effective until amended or revoked.

Direct Energy Marketing Limited (DEML) and its business units Direct Energy Regulated Services and Direct Energy Partnership are affiliated providers of ATCO Electric, however, there is no corporate affiliation between DEML and ATCO.

The purpose of this Compliance Plan is to establish the systems, policies, and mechanisms that ATCO Electric will use to ensure compliance with the Regulation by ATCO Electric officers, employees, agents and contractors. Contraventions of the Compliance Plan by individuals may result in disciplinary action, up to and including termination of employment or contract with ATCO Electric.

This Compliance Plan describes certain obligations and responsibilities of specified ATCO Electric management personnel. Notwithstanding this, and without otherwise reducing or eliminating the obligation and responsibility of the specified ATCO Electric management personnel to ensure any specific requirements of this Compliance Plan are satisfied, it is understood that all or a portion of the tasks described in this Compliance Plan may be delegated by the specified ATCO Electric management personnel to other ATCO Electric personnel. Where a business function is referred to, a representative of that function will be responsible for that mechanism.

Questions or comments concerning the Compliance Plan should be directed to the ATCO Electric Compliance Officer (the "Compliance Officer"). Contact information for the Compliance Officer and a copy of the Compliance Plan are available at www.atcoelectric.com. The numbering used in the Compliance Plan is consistent with the numbering used in the Regulation.

Part 1 Interpretation

1.0 Definitions

Capitalized words and phrases used in the Compliance Plan, but not otherwise defined herein, shall have the meanings set out in the Regulation. In addition, whenever used in this Compliance Plan, the following words and phrases have the meanings set out below.

- a) "**Annual Compliance Report**" contains a description of:
 - any non-compliance with the Regulation or the Compliance Plan;
 - the action taken to remedy the non-compliance; and
 - any complaints of non-compliance with the Regulation or the Compliance Plan, and how the complaints have been addressed.
- b) "**ATCO Electric Terms and Conditions**" means ATCO Electric's *Retailer Terms and Conditions for Electric Distribution* approved by the AUC. The Terms and Conditions are available at www.atcoelectric.com.
- c) "**AUC**" means the Alberta Utilities Commission.
- d) "**AUC Rule 002**" means *AUC Rule 022 Service Quality and Reliability Performance Monitoring and Reporting for Owners of Electric Distribution Systems and for Gas Distributors*.
- e) "**AUC Rule 004**" means *AUC Rule 004 Alberta Tariff Billing Code*.
- f) "**AUC Rule 010**" means *AUC Rule 010 Rules on Standards for Requesting and Exchanging Site-Specific Historic Usage Information for Retail Electricity and Natural Gas Markets Rules*.
- g) "**AUC Rule 021**" means *AUC Rule 021 Settlement System Code Rules*.
- h) "**AUC Rule 030**" means *AUC Rule 030 Compliance with the Code of Conduct Regulation*.
- i) "**Call Centre**" means the department responsible for interfacing with Customers regarding the provision of electric distribution service.
- j) "**Compliance Officer**" means an officer of ATCO Electric who is responsible and accountable for ATCO Electric's compliance with the Regulation.
- k) "**Compliance Plan Committee**" means a committee composed of the Compliance Officer, and ATCO Electric personnel in a position of knowledge representing business areas such as, but not limited to:
 - Senior Vice-President & General Manager, ATCO Electric Distribution Division;
 - Controller;
 - Customer Care and Billing; and
 - Compliance.
- l) "**Compliance Training Material**" means the material developed by ATCO Electric prior to the end of each calendar year that will be provided to officers, employees, agents and



contractors of ATCO Electric on the provisions of the Regulation, the Compliance Plan, and their duties and responsibilities. The material will include the following topics:

- Equal treatment of Customers;
 - Protecting confidential Customer Information;
 - Equal treatment of Retailers; and
 - Preventing unfair competitive advantage for Affiliated Providers.
- m) "**EUA**" means the *Electric Utilities Act*, RSA 2003, c. E-5.1 s168.
- n) "**Fair Trading Act**" means the *Fair Trading Act* (R.S.A. 2000, c. F-2).
- o) "**Quarterly Compliance Report**" contains:
- any non-compliance with the Regulation or the Compliance Plan;
 - the action taken to remedy the non-compliance; and
 - any complaints of non-compliance with the Regulation or the Compliance Plan, and how the complaints have been addressed.
- p) "**Regulation**" means the *Code of Conduct Regulation*, A.R. 58/2015.
- q) "**Retail Electricity Services**" has the meaning as defined in the *EUA*.
- r) "**UCA**" means the Utilities Consumer Advocate.
- s) "**Uniform System of Accounts**" means the system of accounts to be filed by an electric utility as set out in Decision 2007-017.

2.0 Retained for Numbering Consistency



Part 2 Conduct and Business Practices

3.0 Conduct

Policy: ATCO Electric officers, employees, agents and contractors will conduct themselves and their activities so as to comply with and to ensure compliance with the Regulation and the Compliance Plan.

Mechanisms

1. The Compliance Officer will identify the applicable officers and employees to be trained on the requirements of the Regulation and the Compliance Plan. Employees preparing education and awareness materials are included as applicable employees. Human Resources will maintain a list of applicable officers and employees to be trained.
2. Annually, the Compliance Officer will confirm with Human Resources that within 30 days of commencing employment, applicable officers and employees have received training using the Compliance Training Material and have provided the required written acknowledgements. Human Resources will retain officer and employee written acknowledgments.
3. Annually, the Compliance Officer will confirm with Human Resources that applicable officers and employees have received training using the Compliance Training Material and have provided the required written acknowledgements. Human Resources will retain officer and employee written acknowledgements.
4. Annually, the Compliance Officer will confirm with Procurement that applicable agents and contractors each have received the Compliance Training Material before commencement of their relationship with ATCO Electric and have provided written acknowledgment of their responsibility to abide by the requirements of the Regulation. Procurement will retain agent and contractor written acknowledgments.
5. The Compliance Plan will be posted on the ATCO Electric website within 15 days of approval of the Compliance Plan by the AUC. The Compliance Officer will maintain a record of changes to webpages and attachments related to the Compliance Plan.
6. The Compliance Officer shall provide a copy of the Compliance Plan to ATCO Energy within 15 days of approval of the Compliance Plan by the AUC.

Division 1 Customers

4.0 Tying Prohibited

Policy: ATCO Electric will not require or induce Customers to acquire goods or services from ATCO Energy or any other Retailer by making or appearing to make Regulated Energy Services conditional on the acquisition of those goods or services.

Mechanisms

1. As described in Mechanisms 1-4 in Section 3.0, the Compliance Officer will ensure that applicable officers, employees, agents and contractors receive training or Compliance Training Material that includes sufficient information addressing the requirements described in the above policy. The applicable officers, employees, agents and contractors will provide written acknowledgments that will be retained as described in Section 3.0.
2. As described in Mechanisms 5 and 6 in Section 3.0, the Compliance Officer will make the Compliance Plan available to the public on the ATCO Electric website and provide a copy to ATCO Energy within 15 days of approval of the Compliance Plan by the AUC.
3. All consumer awareness and education materials that will be distributed to the public or Customers will be reviewed for compliance with the Regulation by the Compliance Officer prior to its release to the public or Customers and a log of all approved communications will be maintained.
4. Any Call Centre messaging that will be communicated to the public or Customers regarding Retail Energy Services must be first reviewed for compliance with the Regulation and approved by Customer Care and Billing. Customer Care and Billing will retain a written record of Call Centre messaging used and the approval.
5. Customer Care and Billing will perform at least quarterly compliance assurance checks on recorded telephone calls to ensure compliance with the Regulation, and that Customers are referred to the UCA website at www.ucahelps.alberta.ca when appropriate. Customer Care and Billing will maintain a record of all calls that were reviewed each quarter and report any non-compliance to the Compliance Plan Committee. The record will include information identifying the call center agent, date the call was received, date the call was reviewed, and number of calls monitored.

5.0 Transfer of Customers

Policy: ATCO Electric will not, without the Customer's consent, transfer the Customer to a Retailer or Retail Tariff.

Mechanisms

1. ATCO Electric will only accept requests to transfer Customers from Retailers and the Regulated Rate Supplier who have successfully completed the ATCO Electric Retailer qualification process located in the *ATCO Electric Retailer Guide*, available at www.atcoelectric.com, which requires Retailers to confirm they will comply with AUC Rule 021 and the *Fair Trading Act*.

6.0 Prohibited Representation

Policy: ATCO Electric will not represent or imply in any way in communications with Customers or the public, that present or future Customers of ATCO Energy will receive treatment from ATCO Electric that is different from the treatment received by present or future Customers of other Retailers.

Mechanisms

1. As described in Mechanisms 1-4 in Section 3.0, the Compliance Officer will ensure that applicable officers, employees, agents and contractors receive training or the Compliance Training Material that includes sufficient information addressing the requirements described in the above policy. The applicable officers, employees, agents and contractors will provide written acknowledgments that will be retained as described in Section 3.0.
2. As described in Mechanisms 5 and 6 in Section 3.0, the Compliance Officer will make the Compliance Plan available to the public on the ATCO Electric website and provide a copy to ATCO Energy within 15 days of approval of the Compliance Plan by the AUC.
3. As described in Mechanism 3 in Section 4.0, all consumer awareness and education materials that will be distributed to the public or Customers will be reviewed for compliance with the Regulation by the Compliance Officer prior to its release to the public or Customers and a log of all approved communications will be maintained.
4. As described in Mechanism 4 in Section 4.0, any Call Centre messaging that will be communicated to the public or Customers regarding Retail Energy Services must first be reviewed for compliance with the Regulation and approved by Customer Care and Billing. Customer Care and Billing will retain a written record of Call Centre messaging used and the approval.

5. As described in Mechanism 5 in Section 4.0, Customer Care and Billing will perform at least quarterly compliance assurance checks on recorded telephone calls to ensure compliance with the Regulation and that Customers are referred to the UCA website at www.ucahelps.alberta.ca when appropriate. Customer Care and Billing will maintain a record of all calls that were reviewed each quarter and report any non-compliance to the Compliance Plan Committee. The record will include information identifying the call center agent, date the call was received, date the call was reviewed, and number of calls monitored.

7.0 Retained for Numbering Consistency

8.0 Meetings by ATCO Electric with Retailers and Customers

Policy: ATCO Electric will make reasonable efforts to be equally available to all Retailers for joint meetings with Retailers and Retailer's Customers to meet the requirements in accordance with the Regulation.

Mechanisms

1. Customer Care and Billing will retain a record of all requests for scheduled joint meetings with Retailers, including self-retailers. The record will contain the date of the meeting request, the date of the meeting, the Retailer requesting the meeting, and the topic of the meeting.

Division 2 Customer Information

9.0 Confidentiality of Customer Information

Policy: ATCO Electric will protect the confidentiality of Customer Information and not disclose Customer Information except as permitted by Section 10 of the Regulation.

Mechanisms

1. As described in Mechanisms 1-4 in Section 3.0, the Compliance Officer will ensure that applicable officers, employees, agents and contractors receive training or Compliance Training Material that includes sufficient information addressing the requirements described in the policy above. The applicable officers, employees, agents and contractors will provide written acknowledgments that will be retained as described in Section 3.0.
2. Annually, the Compliance Officer will confirm ATCO Electric's privacy commitments to comply with applicable federal and provincial legislation are



available at <http://www.atcoelectric.com/Privacy> and retain a written record of the confirmation. The privacy commitment includes information about policies and practices on the use and disclosure of personal information, when and how customer consent is obtained, how Customers can access or update personal information, and contact information for ATCO Electric's Privacy Officer.

10.0 Disclosure of Customer Information

Policy: ATCO Electric will only disclose Customer Information to ATCO Energy or any other Retailer in accordance with the Regulation.

Mechanisms

1. ATCO Electric officers, employees, agents and contractors will only disclose Customer Information to a Customer or Customer's agent, after the Customer has provided consent by executing and submitting an *Authorization and Release Form*, which is available at www.atcoelectric.com. Customer Care and Billing will verify and retain each executed *Authorization and Release Form*.
2. ATCO Electric officers, employees, agents and contractors will only disclose Customer Information to a Retailer that has executed and submitted a *Representation and Warrant Agreement*, which is available at www.atcoelectric.com. Customer Care and Billing will verify each executed *Representation and Warrant Agreement* and retain a written record of approval.
3. Changes to the *Authorization and Release Form* and *Representation and Warrant Agreement* must be approved by Customer Care and Billing. Customer Care and Billing will retain a written record of approvals.

11.0 Conditions on Disclosure of Customer Information

Policy: ATCO Electric will only disclose Customer Information to a Retailer or Retailers in accordance with the Regulation.

Mechanisms

1. As described in Mechanisms 1-2 in Section 10.0, ATCO Electric officers, employees, agents and contractors will only disclose Customer Information to a Customer, or Customer's agent that has provided consent by executing and submitting an *Authorization and Release Form* or a Retailer that has executed and submitted a *Representation and Warrant Agreement*, which are available at www.atcoelectric.com. Customer Care and Billing will verify each executed *Authorization and Release Form* and retain each executed *Representation and Warrant Agreement* and retain a written record of approval.
2. As described in Mechanism 3 in Section 10.0, changes to the *Authorization and*



Release Form and *Representation and Warrant Agreement* must be approved by Customer Care and Billing. Customer Care and Billing will retain a written record of approval.

3. When Customer Information is requested by a process not covered by AUC Rule 010, ATCO Electric officers, employees, agents, and contractors will disclose the requested information within 7 days. Customer Care and Billing will maintain a log of these requests, which will include the date each request was made and the date Customer Information was provided.
4. Customer Care and Billing will collect and maintain a list of email contacts for all Retailers who are qualified to sell Retail Electricity Services in ATCO Electric's service territory. Customer Care and Billing will notify the applicable Retailers by email at the same time when Customer Information is disclosed to two or more Retailers. Customer Care and Billing will retain a record of email notices.

12.0 Historical Electricity Usage

Policy: Where ATCO Electric receives a request in writing or electronic form for disclosure of a Customer's historical electricity usage information, ATCO Electric will disclose to the Retailer the Customer's electricity usage information for the previous 12-month period within 3 business days to meet the requirements of the Regulation.

Mechanisms

1. As described in Mechanisms 1-2 in Section 10.0, ATCO Electric officers, employees, agents, and contractors will only disclose Customer Information to a Customer, or Customer's agent that has provided consent by executing and submitting an *Authorization and Release Form* or a Retailer that has executed and submitted a *Representation and Warrant Agreement*, which are available at www.atcoelectric.com. Customer Care and Billing, will verify each executed *Authorization and Release Form* and retain each executed *Representation and Warrant Agreement* and retain a written record of approval.
2. As described in Mechanism 3 in Section 10.0, changes to the *Authorization and Release Form* and *Representation and Warrant Agreement* must be approved by Customer Care and Billing. Customer Care and Billing will retain a written record of approvals.
3. When historical information is requested, ATCO Electric officers, employees, agents, and contractors will disclose the requested information within 3 business days. Customer Care and Billing will maintain a log of any requests not covered by AUC Rule 010, which will include the date each request was made and the date the historical information was provided.



13.0 Aggregated Customer Information

Policy: ATCO Electric will only provide a Retailer with aggregated customer information in accordance with the Regulation.

Mechanisms

1. Customer Care and Billing will manage all Retailer requests for aggregated customer information in accordance with the Regulation. Customer Care and Billing will retain records of Retailer requests for aggregated customer information.
2. Customer Care and Billing will review and, as required, modify the aggregated customer information to ensure that information of any particular Customer or Retailer cannot be readily identified prior to posting the aggregated information on the ATCO Electric website. Customer Care and Billing will retain a written record of the aggregated information provided.
3. At least 24 hours before aggregated customer information is made available to a Retailer, Customer Care and Billing will place a notice, which is available at www.atcoelectric.com clearly describing the information and the cost of obtaining the information, which shall be no more than the costs incurred. The notice must be kept on the website for at least 30 days after the aggregated information is made available. Customer Care and Billing will retain a written copy of the notice and record the dates the notice was posted on the website.

Division 3

Business Practices of Distributors and Regulated Rate Suppliers

14.0 Equal Treatment of Retailers

Policy: ATCO Electric's Terms and Conditions will not give preferential treatment to its Affiliated Provider or to Customers of its Affiliated Provider, discriminate against any Retailer or against Customers of any Retailer, and any changes to ATCO Electric's Regulated Energy Services or the ATCO Electric Terms and Conditions that apply to those services, will be communicated to all Retailers at the same time and in the same manner to meet the requirements in accordance with the Regulation.

Mechanisms

1. As described in Mechanisms 1-4 in Section 3.0, the Compliance Officer will ensure that applicable officers, employees, agents and contractors receive training or Compliance Training Material that includes sufficient information addressing the requirements described in the above policy. The applicable

officers, employees, agents and contractors will provide written acknowledgments that will be retained as described in Section 3.0.

2. ATCO Electric will manage all market interactions with Retailers, including ATCO Energy, and the Regulated Rate Supplier according to the ATCO Electric Terms and Conditions and distribution tariffs, which are available at www.atcoelectric.com.
3. ATCO Electric will manage all market interactions with Retailers, including ATCO Energy, and the Regulated Rate Supplier according to the requirements set out in AUC Rule 004, AUC Rule 010 and AUC Rule 021.
4. ATCO Electric publishes and retains the *ATCO Electric Retailer Guide*, which will provide an overview of ATCO Electric's processes that will enable all Retailers to effectively deal with the company in the same way. The *ATCO Electric Retailer Guide* is available at www.atcoelectric.com.
5. As described in Mechanism 4 of Section 11.0, Customer Care and Billing will collect and maintain a list of email contacts for all Retailers who are qualified to sell Retail Electricity Services in ATCO Electric's service territory. Customer Care and Billing will notify these Retailers by email at the same time when there are changes to the ATCO Electric Terms and Conditions or distribution tariffs and provide a link to the revised documents. Customer Care and Billing will retain a record of email notices.

15.0 Prohibitions

Policy: ATCO Electric will abide by the prohibitions contained in the Regulation.

Mechanisms

1. As described in Mechanisms 1-4 in Section 3.0, the Compliance Officer will ensure that applicable officers, employees, agents, and contractors receive training or Compliance Training Material that includes sufficient information addressing the requirements described in the above policy. The applicable officers, employees, agents, and contractors will provide written acknowledgments that will be retained as described in Section 3.0.
2. As described in Mechanism 3 in Section 4.0, all consumer awareness and education materials that will be distributed to the public or Customers will be reviewed for compliance with the Regulation by the Compliance Officer prior to its release to the public or Customers and a log of all approved communications will be maintained.
3. As described in Mechanism 4 in Section 4.0, any Call Centre messaging that will be communicated to the public or Customers regarding Retail Energy Services

must first be reviewed for compliance with the Regulation and approved by Customer Care and Billing. Customer Care and Billing will retain a written record of Call Centre messaging used and the approval.

4. As described in Mechanism 5 in Section 4.0, Customer Care and Billing will perform at least quarterly compliance assurance checks on recorded telephone calls to validate that Customers are not provided with information on Retail Energy Services and are referred to the UCA website at www.ucahelps.alberta.ca when appropriate. Customer Care and Billing will maintain a record of all calls that were reviewed each quarter and report any non-compliance to the Compliance Plan Committee. The record will include information identifying the call center agent, date the call was received, date the call was reviewed, and number of calls monitored.
5. ATCO Electric will not enable users of its website to access web pages relating to Retail Energy Services from web pages relating to its Regulated Energy Services unless a statement that meets the requirements of section 7 of the Regulation is displayed immediately when one website is accessed from the other.
6. ATCO Electric will not include or incorporate any communication for sales or marketing purposes by any Retailer in any of its written communications to customers related to billing for Regulated Energy Services.

16.0 Information about Retail Energy Services

Policy: If a Customer requests information about Retail Energy Services, ATCO Electric will refer the Customer to a source where the Customer may obtain a current list of Retailers that are licensed under the *Fair Trading Act*, to meet the requirements of the Regulation.

Mechanisms

1. As described in Mechanism 4 in Section 4.0, any Call Centre messaging that will be communicated to the public or Customers regarding Retail Energy Services must first be reviewed for compliance with the Regulation and approved by Customer Care and Billing. Customer Care and Billing will retain a written record of Call Centre messaging used and the approval.
2. As described in Mechanism 5 in Section 4.0, Customer Care and Billing will perform at least quarterly compliance assurance checks on recorded telephone calls to validate that Customers are not provided with information on Retail Energy Services and are referred to the UCA website at www.ucahelps.alberta.ca when appropriate. Customer Care and Billing will maintain a record of all calls that were reviewed each quarter and report any non-compliance to the Compliance Plan Committee. The record will include information identifying the



call center agent, date the call was received, date the call was reviewed, and number of calls monitored.

Part 3
Relationships among Distributors, Regulated Rate Suppliers and Affiliated Providers

Division 1
Preventing Unfair Competitive Advantage

17.0 Arrangements Creating Unfair Competitive Advantage Prohibited

Policy: ATCO Electric shall not make arrangements that create an unfair competitive advantage for ATCO Energy. ATCO Electric may make arrangements to create cost efficiencies in its operations.

Mechanisms

1. Prior to implementing a new arrangement to create cost efficiencies with ATCO Energy the Controller will review and confirm that no unfair competitive advantage will occur. The Compliance Officer will retain documentation supporting that no unfair competitive advantage will occur.
2. Quarterly, the Controller will review the documented terms of all arrangements to create cost efficiencies between ATCO Electric and ATCO Energy, and identify for each transaction or series of transactions whether the terms have created an unfair competitive advantage for ATCO Energy. A copy of the summary will be retained by the Compliance Officer as evidence of the review.
3. Quarterly, the Compliance Officer will confirm that to the best of his/her knowledge transactions have not created an unfair competitive advantage for ATCO Energy.
4. In advance of a transaction the Compliance Officer will review each proposed transaction between ATCO Energy and ATCO Electric and will identify each type of transaction or series of transactions for which the annual amount is expected to exceed \$500,000 or an amount determined by the Commission. The Compliance Officer will confirm that transaction types for which the annual amount is expected to exceed \$500,000 or an amount determined by the Commission are documented by an agreement and supported with written evidence of Fair Market Value.
5. In the event an arrangement of the type described in Sections 17(5) of the Regulation is not explicitly exempted as not creating an unfair competitive

advantage by Sections 18, 20 and 21 or Section 23 of the Regulation, ATCO Electric will promptly notify the Commission, in writing, of the existing arrangement and will request an opinion as to whether the existing arrangement creates an unfair competitive advantage. In the event that the Commission determines that an existing arrangement does create a prohibited unfair competitive advantage, ATCO Electric will modify or terminate the arrangement in accordance with the directions of the Commission.

6. In the event an arrangement of the type described in Sections 17(5) or 17(6) of the Regulation is not explicitly exempted as not creating an unfair competitive advantage by Sections 18, 20, and 21 or 23 of the Regulation, ATCO Electric will notify the Commission, in writing, of the proposed arrangement before such arrangement takes effect and will request an opinion of the Commission as to whether the proposed arrangement would create an unfair competitive advantage.

18.0 Information Sharing

Policy: ATCO Electric will ensure that both its Customer Information and its information that is not Customer Information is not disclosed or made available to any Retailer for the purposes of marketing or sales of Retail Energy Services, except in accordance with the Regulation.

Mechanisms

1. As described in Mechanisms 1-4 in Section 3.0, the Compliance Officer will ensure that applicable officers, employees, agents and contractors receive training or the Compliance Training Material that includes sufficient information addressing the requirements described in the above policy. The applicable officers, employees, agents and contractors will provide written acknowledgments that will be retained as described in Section 3.0.
2. As described in Mechanisms 5 and 6 in Section 3.0, the Compliance Officer will make the Compliance Plan available to the public on the ATCO Electric website and provide a copy to ATCO Energy within 15 days of approval of the Compliance Plan by the AUC.
3. As described in Mechanism 2 in Section 9.0, the Compliance Officer will confirm that ATCO Electric's privacy commitments to comply with applicable federal and provincial legislation are available at www.atcoelectric.com and maintain a record of changes to webpages and attachments related to the Compliance Plan.
4. ATCO Electric will not disclose Customer Information to any Retailer, including ATCO Energy, except as in accordance with Sections 10, 11, 12 and 13 of the Regulation.

5. Annually, Business Technology Management will review the data management and data access protocols to ensure they are appropriate. The Compliance Officer will retain a copy of the review.

19.0 Retained for Numbering Purposes

20.0 Acquisitions, Research and Dispositions

Policy: To prevent the creation of an unfair competitive advantage ATCO Energy and ATCO Electric will allocate and record the economic benefits or costs attributable to each party for joint acquisitions, shared costs or expenses associated with research and development, or selling, leasing or disposing of jointly acquired property.

Mechanisms

1. The Controller will ensure that plants, assets and equipment are not shared with ATCO Energy in a manner that creates an unfair competitive advantage for ATCO Energy. Annually, the Controller will confirm that plants, assets and equipment have not been shared in a manner that creates an unfair competitive advantage for ATCO Energy. The Compliance Officer will retain a copy of the confirmation.
2. As described in Mechanism 1 in Section 17.0, prior to a transaction taking place, the Controller will review joint acquisitions, shared costs or expenses associated with research and development, or selling, leasing or disposing of jointly acquired property and document the allocation of costs between ATCO Electric and ATCO Energy, the economic benefits received and confirm that the terms have not created an unfair competitive advantage for ATCO Energy. The Compliance Officer will retain copies of the review and the confirmation.
3. As described in Mechanism 2 in Section 17.0, the Controller will conduct a quarterly review of the documented terms of all joint acquisitions, research and dispositions between ATCO Electric and ATCO Energy, and identify for each transaction or series of transactions whether the terms have created an unfair competitive advantage for ATCO Energy. A copy of the summary will be retained by the Compliance Officer as evidence of the review.
4. As described in Mechanism 3 in Section 17.0, the Compliance Officer will confirm quarterly that to the best of his/her knowledge transactions have not created an unfair competitive advantage for ATCO Energy.
5. As described in Mechanism 4 of Section 17.0, in advance of a transaction the Compliance Officer will review each proposed transaction between ATCO Energy and ATCO Electric and will identify each type of transaction or series of transactions for which the annual amount is expected to exceed \$500,000 or an amount determined by the Commission. The Compliance Officer will confirm

that transaction types for which the annual amount is expected to exceed \$500,000 or an amount determined by the Commission are documented by an agreement and supported with written evidence of Fair Market Value.

21.0 Goods and Services Transactions to be at Fair Market Value

Policy: All transactions involving the sale, lease, exchange or transfer or other disposition of goods or services between ATCO Electric and ATCO Energy will be recorded and priced at Fair Market Value to prevent the creation of an unfair competitive advantage. If the value of the transaction for goods or services is regulated by a municipal, provincial or federal government or government agency, the regulated value will be considered the Fair Market Value.

Mechanisms

1. As described in Mechanism 1 in Section 17.0, prior to a transaction taking place for goods and services between ATCO Energy and ATCO Electric, the Controller will prepare documentation that the goods and services have been acquired at a price which is no more than Fair Market Value. The Compliance Officer will retain a copy of the documentation.
2. As described in Mechanism 2 in Section 17.0, the Controller will conduct a quarterly review of the documented terms of all goods and services transactions between ATCO Electric and ATCO Energy, and identify for each transaction or series of transactions whether the terms have created an unfair competitive advantage for ATCO Energy. A copy of the summary will be retained by the Compliance Officer as evidence of the review.
3. As described in Mechanism 3 in Section 17.0, the Compliance Officer will confirm quarterly that to the best of his/her knowledge transactions have not created an unfair competitive advantage for ATCO Energy.
4. As described in Mechanism 4 of Section 17.0, in advance of a transaction the Compliance Officer will review each proposed transaction between ATCO Energy and ATCO Electric and will identify each type of transaction or series of transactions for which the annual amount is expected to exceed \$500,000 or an amount determined by the Commission. The Compliance Officer will confirm that transaction types for which the annual amount is expected to exceed \$500,000 or an amount determined by the Commission are documented by an agreement and supported with written evidence of Fair Market Value.



22.0 Financial Transactions

Policy: ATCO Electric will not provide a loan, guarantee, security or other financial transaction with, or on behalf of, ATCO Energy on terms that are more favorable than could be obtained in the open market to prevent the creation of an unfair competitive advantage.

Mechanisms

1. Prior to a financial transaction taking place, the Controller will confirm that any loan, guarantee or other financial support provided by ATCO Electric to ATCO Energy is provided on terms no more favorable than what ATCO Energy would be able to obtain as a stand-alone entity from the capital markets. The Compliance Officer will maintain a copy of the confirmation.
2. As described in Mechanism 2 in Section 17.0, the Controller will conduct a quarterly review of the documented terms of all financial transactions between ATCO Electric and ATCO Energy, and identify for each transaction or series of transactions whether the terms have created an unfair competitive advantage for ATCO Energy. A copy of the summary will be retained by the Compliance Officer as evidence of the review.
3. As described in Mechanism 3 in Section 17.0, the Compliance Officer will confirm quarterly that to the best of his/her knowledge transactions have not created an unfair competitive advantage for ATCO Energy.

23.0 Retained for Numbering Consistency

24.0 Access to Publicly Available Information

Policy: ATCO Electric will not restrict access to information available to the public in accordance with the Regulation.

Mechanisms

1. None required.

Division 2 Records and Accounts

25.0 Records and Accounts

Policy: ATCO Electric will retain separate records and accounts from ATCO Energy to meet the requirements of the Regulation.



Mechanisms

1. The Compliance Officer will retain the required records and accounts for audit purposes and will ensure that the accounts are kept in accordance with generally accepted accounting principles and any guidelines in the Uniform System of Accounts.

26.0 Written Financial Transactions

Policy: Every financial transaction between ATCO Electric and ATCO Energy will be documented in writing to prevent the creation of any unfair competitive advantage.

Mechanisms

1. As described in Mechanism 2 in Section 22.0, the Controller will conduct a quarterly review of the documented terms of all financial transactions between ATCO Electric and ATCO Energy, and identify for each transaction or series of transactions whether the terms have created an unfair competitive advantage for ATCO Energy. A copy of the summary will be retained by the Compliance Officer as evidence of the review.
2. As described in Mechanism 3 in Section 22.0, the Compliance Officer will confirm quarterly that to the best of his/her knowledge transactions have not created an unfair competitive advantage for ATCO Energy.

27.0 Records of Transactions for Goods and Services

Policy: All transactions for goods and services between ATCO Electric and ATCO Energy will be recorded in accordance with the Regulation.

Mechanisms

1. The Controller will record each transaction between ATCO Electric and ATCO Energy including the aggregate value of the transaction or series of transactions.
2. As described in Mechanism 2 in Section 21.0, the Controller will conduct a quarterly review of the documented terms of all goods and services transactions between ATCO Electric and ATCO Energy, and identify for each transaction or series of transactions whether the terms have created an unfair competitive advantage for ATCO Energy. A copy of the summary will be retained by the Compliance Officer as evidence of the review.
3. As described in Mechanism 3 in Section 21.0, the Compliance Officer will confirm quarterly that to the best of his/her knowledge transactions have not created an unfair competitive advantage for ATCO Energy.



4. As described in Mechanism 4 of Section 21.0, in advance of a transaction the Compliance Officer will review each proposed transaction between ATCO Energy and ATCO Electric and will identify each type of transaction or series of transactions for which the annual amount is expected to exceed \$500,000 or an amount determined by the Commission. The Compliance Officer will confirm that transaction types for which the annual amount is expected to exceed \$500,000 or an amount determined by the Commission are documented by an agreement and supported with written evidence of Fair Market Value.

28.0 Maintaining Records

Policy: ATCO Electric will retain records, accounts, records of financial transactions, reports and plans for at least six years.

Mechanisms

1. The Compliance Officer will retain the required written documentation for at least six years.

Part 4 Compliance Requirements

Division 1 Compliance Plans and Compliance Reports

29.0 Prohibition against Providing Retail Energy Services Without Approved Compliance Plan

Policy: Before ATCO Energy begins to provide Retail Energy Services to Customers, ATCO Electric will prepare, file, receive approval of a Compliance Plan by the AUC and provide copies of the approved plan in accordance with the Regulation.

Mechanisms

1. None required.

30.0 Compliance Plan Required

Policy: ATCO Electric's Compliance Plan will meet the requirements of the Regulation and will be filed with the AUC for approval.

Mechanisms

1. The Compliance Officer will distribute a copy of the approved Compliance Plan to officers, employees, agents and contractors that are affected by the Compliance Plan.
2. The Compliance Officer will ensure that the Compliance Plan is implemented in accordance with its policies and through its mechanisms. The Compliance Plan Committee will monitor and enforce compliance with the Regulation and the Compliance Plan through the policies and mechanisms contained herein. The Compliance Plan Committee will meet quarterly and document its review of compliance.
3. The Compliance Officer will review and document any non-compliance with the Regulation or the Compliance Plan and the action taken to mitigate the non-compliance. Quarterly, the Compliance Plan Committee will review the action taken to mitigate any issues of non-compliance.
4. The Compliance Officer will acknowledge all disputes, complaints or inquiries within 5 working days of its receipt and respond to the dispute, complaint or inquiry within 21 working days. A final resolution of the dispute, complaint or inquiry shall be completed as expeditiously as possible in the circumstances, and in any event within 60 days of receipt of the dispute, complaint or inquiry, except where the party making the submission otherwise agrees. The Compliance Officer will document how the complaints have been addressed. Quarterly, the Compliance Plan Committee will review how the complaints have been addressed.
5. ATCO Electric will manage all rules respecting service standards in accordance with the requirements of AUC Rule 004, AUC Rule 010 and AUC Rule 021.
6. ATCO Electric will provide quarterly and annual reporting of service quality and reliability performance, including billing and billing services, to the AUC in accordance with AUC Rule 002. Results and explanations related to results are reported through AUC Rule 002.
7. ATCO Electric will meet with the AUC at least once annually to discuss service quality issues and any corrective action plans necessary. Any items arising from that meeting will be reviewed by the Compliance Plan Committee and, where appropriate, a determination will be made to amend this Compliance Plan in accordance with Section 32 of the Regulation.

31.0 Retained for Numbering Consistency

32.0 Changes to Compliance Plan



Policy: ATCO Electric will amend the Compliance Plan to reflect changes in circumstances and changes to the Regulation.

Mechanisms

1. At least annually, the Compliance Officer will review the Compliance Plan and determine if amendments are required for any reason including changed circumstances and changes to the Regulation.
2. The Compliance Officer will notify affected ATCO Electric officers, employees, agents and contractors of any amendments approved by the AUC as soon as practicable.

33.0 Quarterly and Annual Compliance Reports

Policy: ATCO Electric will report any non-compliance with the Regulation and the Compliance Plan and file annual reports in accordance with the Regulation and AUC Rule 030.

Mechanisms

1. Quarterly, the Compliance Officer will prepare a Quarterly Compliance Report and the Compliance Plan Committee will review the report before the Compliance Officer provides the report to the Board of Directors.
2. The Compliance Officer will prepare an Annual Compliance Report and the Compliance Plan Committee will review the report before the Compliance Officer provides the report to the Board of Directors for approval.
3. The Compliance Officer will provide the approved Annual Compliance Report to the AUC within 90 days following the end of each calendar year.
4. Any non-compliance will be reported to the AUC in accordance with AUC Rule 030.

34.0 Information about Complaints

Policy: ATCO Electric will give notice to the public that complaints about contraventions of the Regulation or the plan may be made to the AUC or the Market Surveillance Administrator.

Mechanisms

1. The Compliance Officer will provide the notice to the AUC for approval prior to publication of the notice.



2. Annually, the Compliance Officer will confirm the approved notice is available at www.atcoelectric.com.

35.0 Retained for Numbering Consistency

36.0 Retained for Numbering Consistency

Division 2 Varying Arrangements

37.0 Retained for Numbering Consistency

38.0 Emergency Exceptions

Policy: Any action taken by ATCO Electric in response to an emergency that threatens public safety, the safety of officers, employees, contractors or agents, the physical integrity of their facilities or system reliability does not contravene the Regulation or the Compliance Plan.

Mechanisms

1. The Compliance Officer will record any emergency action that would otherwise contravene the Regulation or the Compliance Plan and report the emergency action and the expected compliance impact to the AUC as appropriate and to the Compliance Plan Committee at its next meeting.

Division 3 Compliance Audit

39.0 Retained for Numbering Consistency

40.0 Audit

Policy: ATCO Electric will give the auditor access to any information required to conduct the audit and will reimburse the AUC for the auditor's costs and expenses in accordance with AUC Rule 030.

Mechanisms

1. The Compliance Officer will permit sufficient access to officers, employees, agents, contractors, records, and information systems for the auditor to perform the required audit.



41.0 Retained for Numbering Consistency

**Division 4
Investigations**

42.0 Retained for Numbering Consistency

43.0 Retained for Numbering Consistency

44.0 Retained for Numbering Consistency

**Part 5
Transitional Provisions, Repeal and Coming into Force**

45.0 Retained for Numbering Consistency

46.0 Retained for Numbering Consistency

47.0 Retained for Numbering Consistency

48.0 Retained for Numbering Consistency

49.0 Retained for Numbering Consistency

50.0 Retained for Numbering Consistency

51.0 Coming into Force

Policy: The Compliance Plan will be effective on June 27, 2017 and remains effective until amended or revoked.

Mechanisms

1. None required.