

Battle River Cooperative REA Ltd.
Electric Utilities Act Code of Conduct Regulation
Compliance Plan

April 13, 2021

Battle River Cooperative REA Ltd.

Electric Utilities Act Code of Conduct Regulations Compliance Plan

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Purpose

In order to provide customers with additional retail choice and promote fair retail competition in the Alberta Electric Industry, BATTLE RIVER COOPERATIVE REA LTD ("BRCREA") has formalized an affiliated retail division, Battle River Rural Energy Division (hereafter referred to as "BRR-Energy Division") and has also formalized a wires related services division, Battle River Power Coop Division (hereafter referred to as "BRPC Wires Division"). BRCREA is incorporated under the Rural Utilities Act, and as a rural electrification association, self-supplies energy for its members, conducting its business activities through its BRR-Energy Division and BRPC Wires Division.

BRCREA has developed a compliance plan that it will implement internally to conduct daily business through its BRR-Energy Division and its BRPC Wires Division in a compliant manner. This compliance plan identifies procedures and mechanisms that the directors and officers of BRCREA, and the employees, agents, and contractors of BRR-Energy Division and BRPC Wires Division, as the case may be, will utilize to comply with the *Code of Conduct Regulation AR 58/2015* (hereafter referred to as the "Regulation", while continuing to provide safe, reliable service to its customers/members. Upon provision of retail electricity services by BRR-Energy Division & BRPC Wires Division, with notice to the Alberta Utilities Commission, this compliance plan is in effect.

Except where otherwise expressly noted, terms used in this compliance plan have the same meaning as defined in the Regulation or *Electric Utilities Act* (hereafter referred to as the "Act"), as applicable.

Notwithstanding that BRR-Energy Division is a division of BRCREA, from the perspective of the Regulation it will be treated as distinct to the extent of the functions carried out by BRR-Energy Division.

Thus, in accordance with the Act and related regulations, to the extent that BRCREA is carrying out retailer functions through its BRR-Energy Division, BRR-Energy Division will be treated as a regulated rate provider and affiliated retailer of BRCREA and of BRPC Wires Division for the purposes of the application and interpretation of relevant Code provisions.

To the extent that this compliance plan makes reference to directors and officers, those are understood to relate to such directors and officers of BRCREA, and to the extent that references are made to employees, contractors and agents, those will relate to BRR-Energy Division, BRPC Wires Division, or both, as the context suggests.

The purpose of this Compliance Plan is to establish the systems, policies and mechanisms that BRCREA, through BRPC Wires Division and BRR-Energy Division, will use to ensure compliance with the Regulation by BRCREA. Contravention of the Compliance Plan by BRCREA Directors or Officers, or BRR-Energy Division or BRPC Wires Division employees, agents or contractors may result in disciplinary action, up to and including termination of employment or contract.

Questions or comments concerning the Compliance Plan should be directed to BRCREA (and the BRPC Wires Division & the BRR-Energy Division) Compliance Officer (the "Compliance Officer"). Contact information for the Compliance Officer and copy of the Compliance Plan is available at brpower.coop.

The numbering used in the Compliance Plan is consistent with the numbering used in the Regulation.

Part 1 Interpretation

1.0 Definitions

- a) All definitions as provided in the *Code of Conduct Regulation* ("Regulation") are adopted in this compliance plan.
- b) "**Battle River Cooperative REA Ltd.**" (**BRCREA**) is an entity that carries on the business of a wires distributor through its BRPC Wires Division and through its BRR-*Energy* Division, the business of a regulated rate supplier and an affiliated retailer.
- c) "**Compliance Plan Committee**" means a committee composed of at least the following BRCREA (or BRPC Wires Division or BRR-*Energy* Division personnel):
 - President;
 - General Manager;
 - Controller CPA;
 - Compliance Officer (if not one of the above);
 - IT Manager
- d) "**Compliance Training Material**" means the material developed by BRCREA prior to the end of each calendar year that will be used to train officers, employees, agents and contractors of BRCREA and BRPC Wires Division or BRR-*Energy* Division, as the case may be, on the provisions of the Regulation, the Compliance Plan and the duties and responsibilities each individual has to comply with same. The material will include the following topics:
 - Equal treatment of Customers;
 - Protecting confidential Customer Information
 - Equal treatment of Retailers, and
 - Preventing unfair competitive and advantage for Affiliated Retailers.
- e) "**Member**" is used interchangeably with "customer" in this plan and has the same meaning as "customer" as defined in the EUA.

2.0 Retained for Numbering Consistency

Part 2 Conduct and Business Practices

3.0 Conduct

Policy: BRCREA officers (and through its BRPC Wires Division and BRR-*Energy* Division) 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 to meet the requirements in accordance with the Regulation.

Mechanisms

The Compliance Officer will identify BRCREA officers and employees, agents, and

contractors of BRPC Wires Division and BRR-*Energy* Division to be trained on the requirements of the Regulation and the Compliance Plan and the Compliance Officer will provide to the Human Resources Advisor a list of such parties, which will be retained. All such parties will be trained, including such parties that prepare education and awareness materials.

1. Upon approval of the Compliance Plan all existing BRCREA officers (and through BRPC Wires Division and BRR-*Energy* Division) all employees, agents and contractors will be trained using the Compliance Training Material and provide the required written acknowledgements, which will be retained by the Human Resources Advisor.
2. Annually, the Compliance Officer will confirm with the General Manager that within 30 days of commencing employment, BRCREA officers, (and through its BRPC Wires Division and BRR-*Energy* Division, as the case may be) employees, agents, and contractors have received the training using the Compliance Training Material and have provided the required written acknowledgements, which will be retained by the Human Resource Advisor.
3. Annually, the Compliance Officer will confirm with the Human Resource Advisor that BRCREA officers (and through its BRPC Wires Division and BRR-*Energy* Division, as the case may be) employees, agents, and contractors have received training using the Compliance Training Material and have provided the required written acknowledgements, which will be retained by the Human Resource Advisor.
4. Annually, The Compliance Officer will confirm with the General Manager, Procurement that agents and contractors each have received the Compliance Training Material before commencement of their relationship with BRCREA (through its BRPC Wires Division and BRR-*Energy* Division, as the case may be) and have provided written acknowledgement of their responsibility to abide by the requirements of the Regulation. The General Manager, Procurement will retain agent and contractor written acknowledgements.
5. The Compliance Plan will be posted on the BRCREA website. The Compliance Officer will maintain a record of changes to webpages and attachments related to the Compliance Plan.
6. The General Manager will directly provide the Compliance Officer a copy of the Compliance Plan who will distribute to all officers, employees, agents and contractors as soon as it has been approved by the AUC.

Division 1 Customers

4.0 Tying Prohibited

Policy: BRPC Wires Division will not require or induce Members to acquire goods or services from BRPC Wires Division or any other Retailer by making or appearing to make Regulated Electric Services conditional on the acquisition of those goods or services, to meet the requirements in accordance with the Regulation.

Mechanisms

1. The Compliance Officer will identify officers of BRCREA (and through its BRPC Wires Division) employees, contractors, and agents to be trained on the requirements of the Regulation and the Compliance Plan. All such parties will be trained and the Human Resource Advisor will maintain a list of all trained parties
2. Upon approval of the Compliance Plan all existing BRCREA officers (and through its BRPC Wires Division) employees, agents and contractors will be trained using the Compliance Training Material and provide the required written acknowledgements, which will be retained by the Human Resource Advisor.
3. Annually, the Compliance Officer will confirm with the General Manager that within 30 days of commencing employment, BRCREA officers and (through its BRPC Wires Division) employees, agent, and contractors have received the training using the Compliance Training Material and have provided the required written acknowledgements, which will be retained by the Human Resource Advisor.
4. Annually, the Compliance Officer will confirm with the Human Resource Advisor that BRCREA officers and (through its BRPC Wires Division) employees, agents, and contractors have received training using the Compliance Training Material, which will be retained by the Human Resource Advisor.
5. Annually, The Compliance Officer will confirm with the General Manager, Procurement that agents and contractors each have received the Compliance Training Material before commencement of their relationship with BRCREA (through its BRPC Wires Division) and have provided written acknowledgement of their responsibility to abide by the requirements of the Regulation. The General Manager, Procurement will retain agent and contractor written acknowledgements.
6. The Compliance Plan will be posted on the BRCREA website. The Compliance Officer will maintain a record of changes to webpages and attachments related to the Compliance Plan.
7. The General Manager will directly provide the Compliance Officer a copy of the Compliance Plan who will distribute to all BRCREA officers, (and through its BRPC Wires Division) employees, agents and contractors as soon as it has been approved by the AUC.
8. All customer awareness and education materials that will be distributed to the public or members will be reviewed for compliance with the Regulation by the Compliance Officer prior to its release to the public or members. The Compliance Officer will

maintain a log of all approved communications. Quarterly, the Compliance Officer will retain a written record of this review and report any noncompliance and corrective action to the Compliance Plan Committee.

9. Any Call Centre messaging that will be communicated to the public or members regarding Retail Electric Services must be first reviewed for compliance with the Regulation and approved by the IT Manager. The IT Manager will retain a written record of Call Centre messaging used and the approval.
10. The IT Manager will perform at least quarterly compliance assurance checks on recorded telephone calls to ensure compliance with the Regulation, and that Customers are referred to UCA website at ucahelps.alberta.ca when appropriate.

5.0 Transfer of Customers

Policy: **BRPC Wires Division will not, without the Member's consent, transfer the Member to the BRR-Energy Division or to another Retailer.**

Mechanisms

1. BRPC Wires Division will only accept requests for transfer of Members to Retailers who have successfully completed the BRCREA Retailer qualifications process located in the BRCREA Retailer's Terms & Conditions, available at brpower.coop, which requires Retailers to confirm they will comply with AUC Rule 021, Rule 004 and the Consumer Protection Act.
2. BRPC Wires Division will only accept requests or transfers of members to another Retailer when the member has successfully completed and provided the BRPC Wires Division consent to transfer in writing.
3. A record of a member's Consent to Transfer Form of enrolment to BRR-Energy Division or to another retailer will be kept on the member's file.
4. After the BRPC Wires Division receives the SRR and a UCI for a site enrolment from any retailer, the LSA will send an SRN file to that retailer and keep a copy on the members file.

6.0 Prohibited Representations

Policy: **BRCREA (through its BRPC Wires Division) will not represent or imply in any way in communications with Members or the public, that present or future Members will receive treatment from BRPC Wires Division that is different from the treatment received by present or future Customers of other Retailers.**

Mechanisms

1. The Compliance Officer will identify BRCREA officers (and through BRPC Wires Division) employees, agents, and contractors to be trained on the requirements of the Regulation and the Compliance Plan. All such parties will be trained, and the Human Resource Advisor will retain a list of such parties.

2. Upon approval of the Compliance Plan all BRCREA officers (and through BRPC Wires Division) employees, agents and contractors will be trained using the Compliance Training Material and provide the required written acknowledgements, which will be retained by the Human Resources Advisor.
3. Annually, the Compliance Officer will confirm with the General Manager that within 30 days of commencing employment, BRCREA officers (and through BRPC Wires Division) employees, agents, and contactors have received the training using the Compliance Training Material and have provided the required written acknowledgements, which will be retained by the Human Resource Advisor.
4. Annually, the Compliance Officer will confirm with the Human Resource Advisor that BRCREA officers (and through its BRPC Wires Division) employees, agents, and contractors have received training using the Compliance Training Material and have provided the required written acknowledgements to the Human Resource Advisor, which will be retained.
5. Annually, The Compliance Officer will confirm with the General Manager, Procurement that agents and contractors of BRCREA (through its BRPC Wires Division) have received the Compliance Training Material before commencement of their relationship with BRCREA (through its BRPC Wires Division) and have provided written acknowledgement of their responsibility to abide by the requirements of the Regulation, which the General Manager, Procurement will retain.
6. The Compliance Plan will be posted on the BRCREA website. The Compliance Officer will maintain a record of changes to webpages and attachments related to the Compliance Plan.
7. The General Manager, Procurement will directly provide the Compliance Officer a copy of the Compliance Plan who will distribute to all BRCREA officers (and through its BRPC Wires Division) employees, agents and contractors as soon as it has been approved by the AUC.
8. All consumer awareness and education materials that will be distributed to the public or Members will be reviewed for compliance with the Regulation by the Compliance Officer prior to its release to the public or Members. The Compliance Officer will maintain a log of all approved communications. Quarterly, the Compliance Officer will retain written record of this review and report any non- compliance and corrective action to the Compliance Plan Committee.
9. Any Call Centre messaging that will be communicated to the public or Members regarding Retail Electric Services must first be reviewed for compliance with the Regulation and approved by the IT Manager. The IT Manager will retain a written record of Call Centre messaging used and the approval.
10. The IT Manager will perform at least quarterly compliance assurance checks on recorded telephone calls to ensure compliance with the Regulation and that Members are referred to the UCA website at ucahelps.alberta.ca when appropriate. The IT Manager will maintain a record of all calls that were reviewed each quarter and report any non-compliance to the Compliance Plan Committee. The records will include information identifying the call centre agent, date the call was received, date the call was reviewed and number of calls monitored.

7.0 Advertising

Policy: BRPC Wires Division will clearly communicate to Members that a member's choice to be provided service under the regulated rate tariff or to choose a retailer will not affect their distribution services.

Mechanisms

1. BRCREA (through its BRPC Wires Division) will include the following statement on its website and in any advertising that markets energy services

"Members are free to purchase natural gas services or electricity services from a retailer of their choice. For a list of retailers, visit ucahelps.alberta.ca or call 310-4822 (toll free in Alberta)."
2. The above statement will be made on the main page of the website or on the first page of the written advertising, in at least 12-point bold type, and in a colour that contrasts with the background.
3. A record of all website, newsletters and other similar communications regarding energy services will be kept by the Compliance Officer.

8.0 Repealed AR 208/2020 s2.

Division 2 Customer Information

9.0 Confidentiality of Customer Information

Policy: BRCREA (through its BRPC Wires Division and BRR-*Energy* Division) will protect the confidentiality of Member Information to meet the requirements of the Regulation.

Mechanisms

1. The Compliance Officer will identify BRCREA officers (and through its BRPC Wires Division and BRR-*Energy* Division) employees to be trained on the requirements of the Regulation and the Compliance Plan. All such parties will be trained, and the Human Resource Advisor will maintain a list of such parties.
2. Upon approval of the Compliance Plan all BRCREA officers (and through its BRPC Wires Division and BRR-*Energy* Division) employees, agents and contractors will be trained using the Compliance Training Material and provide the required written acknowledgements, which will be retained by the Human Resources Advisor.
3. Annually, the Compliance Officer will confirm with the General Manager, procurement that within 30 days of commencing employment, all BRCREA officers (and through BRPC Wires Division and BRR-*Energy* Division) employees, agents, and contactors have received the training using the Compliance Training Material and have provided the required written acknowledgements, which will be retained by the Human Resource Advisor.

4. Annually, the Compliance Officer will confirm with the Human Resource Advisor that BRCREA officers (and through BRPC Wires Division and BRR-*Energy* Division) employees, agents, and contractors have received training using the Compliance Training Material and have provided the required written acknowledgements.
5. Annually, The Compliance Officer will confirm with the General Manager, Procurement that agents and contractors have received the Compliance Training Material before commencement of their relationship with BRCREA (through its BRPC Wires Division and BRR-*Energy* Division, as the case may be) and have provided written acknowledgement of their responsibility to abide by the requirements of the Regulation, which will be retained by the General Manager, Procurement.
6. Annually, the Compliance Officer will confirm BRCREA's privacy commitments (conducted through its BRPC Wires Division and BRR-*Energy* Division) to ensure compliance with applicable federal and provincial legislation, including making available such privacy commitments at brpower.coop. The Compliance Officer will retain a written record of such confirmation. The privacy commitment includes information about policies and practices on the use and disclosure of personal information, when and how Member consent is obtained, how Members can access or update personal information, and contact information for the Compliance Officer.

10.0 Disclosure of Customer Information

Policy: BRCREA (through BRPC Wires Division and BRR-*Energy* Division) will only disclose Member Information in accordance with the Regulation.

Mechanisms

1. BRCREA officers (and through its BRPC Wires Division and BRR-*Energy* Division) employees, agents and contractors will only disclose Member Information to a Member, after the Member has provided consent by executing and submitting a Consent for Member Information Release Form, which is available at brpower.coop. The IT Manager will verify and retain each executed consent for Member Information Release Form.
2. BRCREA officers and BRPC Wires Division employees, agents and contractors will only disclose Member Information to a Retailer that has executed and submitted a Retailer Service Agreement which is available at brpower.coop. The IT Manager will verify each executed Retailer Service Agreement and retain a written record of approval.
3. Changes to the Consent for Member Information Release Form and the Retailer Service Agreement must be approved by the IT Manager. The IT Manager will retain a written record of approvals.

11.0 Conditions on Disclosure of Customer Information

Policy: If a Member authorizes that its Member Information is to be disclosed by BRPC Wires Division to two or more Retailers, BRPC Wires Division will disclose the same information to those Retailers at

the same time and in the same manner, to meet the requirements of the Regulation.

Mechanisms

1. BRCREA officers (and through its BRPC Wires Division), employees, agents and contractors will only disclose Member Information to a Member, after the Member has provided consent by executing and submitting a Consent for Member Information Release Form, which is available at brpower.coop. The IT Manager will verify and retain each executed consent for Member Information Release Form.
2. BRCREA officers, the Compliance Officer, (and through its BRPC Wires Division), the IT Manager will only disclose Member Information to a Retailer that has executed and submitted a Retailer Service Agreement which is available at brpower.coop. The IT Manager will verify each executed Retailer Service Agreement and retain a written record of approval.
3. Changes to the Consent for Member Information Release Form and the Retailer Service Agreement must be approved by the IT Manager. The IT Manager will retain a written record of approvals.
4. Following the verification of the above 1-3 mechanisms, the IT Manager will disclose the member information to those retailers within 7 days at the same time, in the same form and same manner if the consent is directed to two or more retailers and will not inform anyone of the existence of the request, consent or disclosure. The Compliance Officer will verify and retain a record that after appropriate consent was given that the member information was disclosed within 7 days in the same form and in the same manner to two or more retailers.

12.0 Historical Electrical Usage

Policy: BRPC Wires Division will only provide Retailer applicant with historical electrical consumption information in accordance with the Regulation and AUC Rule 010.

Mechanisms

1. BRCREA officers (and through its BRPC Wires Division), employees, agents and contractors will only disclose Member Information to a Retailer, after the Member has provided consent by executing and submitting a Consent for Member Information Release Form, which is available at brpower.coop. The IT Manager will verify and retain each executed consent for Member Information Release Form.
2. BRCREA officers (and through its BRPC Wires Division), employees, agents and contractors will only disclose Member Information to a Retailer that has executed and submitted a Retailer Service Agreement which is available at brpower.coop. The IT Manager will verify each executed Retailer Service Agreement and retain a written record of approval.
3. Changes to the Consent for Member Information Release Form and the Retailer Service Agreement must be approved by the IT Manager. The IT Manager will retain a written record of approvals.

4. All historical electricity usage requests will be directed to the IT Manager, who will ensure the member's consent and thereafter provide information for the previous 12-month period within 3 business days.

13.0 Aggregated Customer Information

Policy: BRPC Wires Division will not make aggregated member information available to BRR-*Energy* or any other retailers.

Division 3 Business Practices of Distributors and Regulated Rate Suppliers

14.0 Equal Treatment of Retailers

Policy: BRCREA's (through its BRPC Wires Division) Terms and Conditions will not give preferential treatment to BRR-*Energy* Division or to Members of BRR-*Energy* Division or discriminate against any Retailer or against Customers of any Retailer, in accordance with the Regulation.

Mechanisms

1. BRCREA (through its BRPC Wires Division) will manage all market interactions with Retailers including BRR-*Energy* Division according to the Terms and Conditions, which are available at brpower.coop.
2. BRCREA (through its BRPC Wires Division) will manage all market interactions with Retailers including BRR-*Energy* Division according to the requirements set out in AUC Rule 004, AUC Rule 010 and AUC Rule 021.
3. BRCREA (through its BRPC Wires Division) publishes and retains the Retailer Terms & Conditions, which will enable all Retailers to effectively deal with the company in the same way, such Retailer Terms & Conditions made available at brpower.coop.

Equal Notice of Changes

Policy: Changes by BRCREA (through its BRPC Wires Division) to its Regulated Electrical Services, BRR-*Energy* Division or the 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 of the Regulation.

Mechanisms

1. The IT Manager will collect and maintain a list of email contacts for all Retailers who are qualified to sell Retail Electrical Services to BRCREA (through its BRPC Wires Division). The IT Manager will notify these Retailers by email at the same time when there are changes to the Terms and Conditions, regulated energy services or distribution tariffs and provide a link to the revised documents. The IT Manager will retain a record of email notices.

15.0 Prohibitions

Policy: BRCREA (through its BRPC Wires Division and BRR-*Energy* Division) will abide by the prohibitions contained in the Regulation.

Mechanisms

1. As part of the Compliance Plan Management and Checklist, the Compliance Officer will internally monitor compliance by spot checks of member interaction with BRCREA officers (and through its BRPC Wires Division and BRR-*Energy* Division) employees, contractors and agents who have on going and material contact with members or with member information and will review the BRCREA website semi-annually for compliance.
2. Any changes to the BRCREA website affecting compliance with the Regulation or the compliance plan will be overseen by the Compliance Officer.
3. BRCREA (through its BRPC Wires Division) does not solicit business on behalf of any retailer, including its Affiliated Energy Contract rate or BRR-*Energy* Division and does not allow any retailer, including BRR-*Energy* Division access to any of BRPC Wires Division's written communication.
4. The BRCREA website, newsletter and any other written communication regarding provision of retailer functions on behalf of members will contain the following statements regarding choice:

Members are free to purchase natural gas services or electricity services from a retailer of their choice. For a list of retailers, visit ucahelps.alberta.ca or call 310-4822 (toll free in Alberta).
5. The BRCREA website provides information where members may obtain a current list of licensed retailers but does not provide any direct link to any retailer site.
6. Any Call Centre messaging that will be communicated to the public or Members regarding Retail Electric Services must first be reviewed for compliance with the

Regulation and approved by the IT Manager. The IT Manager will retain a written record of Call Centre messaging used and the approval.

7. The IT Manager will perform at least quarterly compliance assurance checks on recorded telephone calls to ensure compliance with the Regulation and that Members are referred to the UCA website at ucahelps.alberta.ca when appropriate. The IT Manager will maintain a record of all calls that were reviewed each quarter and report any non-compliance to the Compliance Plan Committee. The records will include information identifying the call centre agent, date the call was received, date the call was reviewed and number of calls monitored.

16.0 Information About Retail Energy Services

Policy: When BRCREA (through its BRPC Wires Division and BRR Energy Division) receives a request for information about retail energy services it will refer members to a source where they may obtain a current list of licensed retailers that are licensed under the *Consumer Protection Act*.

Mechanisms

1. As part of the Compliance Plan Management and Checklist, the General Manager, the IT Manager and the Compliance Officer will internally monitor compliance by spot checks of member interaction with BRCREA officers (and through its BRPC Wires Division and BRR Energy Division), employees, contractors and agents who have on-going and material contact with members to ensure any member requesting information about retail energy services has been referred to ucahelps.alberta.ca. The Compliance Officer will confirm compliance through verbal conversations, documentation and phone recordings.

Part 3

Relationship Among Distributors, Regulated Rate Suppliers and Affiliated Retailers

Division 1

Preventing Unfair Competitive Advantage

17.0 Arrangements Creating Unfair Competitive Advantage Prohibited

Policy: BRCREA (through its BRPC Wires Division) may make arrangements to create cost efficiencies in operations but will not create an unfair competitive advantage, in accordance with the Regulation.

Mechanisms

1. BRPC Wires Division's internal CPA will have segregated income statements to ensure energy is accounted for separately, and will ensure that officers,

employees, agents and contractors, administration, overhead, financing and other applicable costs, including employees, rent, utility, office equipment and supply costs are properly allocated to the distributor, regulated rate provision and retailer functions as applicable. Annually, energy income statements will be audited by an independent CPA.

2. All financial statements will be prepared in accordance with Canadian accounting standards for not-for-profit organizations as set out in Part III of the CPA Canada Handbook – Accounting as issued by the Accounting Standards Board in Canada and GAAP.
3. The compliance officer will prompt the Board of Directors of BRCREA to review allocation of energy costs to ensure proper and appropriate allocation to the distributor, regulated rate, and retailer functions.
4. The allocation of costs will be reviewed annually by General Manager and independent CPA and a financial analysis will be performed to calculate an appropriate current allocation of energy costs, employees, rent, utility and office equipment and supply costs and final approval by the Board of Directors of BRCREA.
5. Other than the records and accounting policies and mechanisms outlined above any internal arrangements BRCREA (through its BRPC Wires Division & BRR- *Energy* Division) proposes to make to create cost efficiencies will be forwarded to the Commission for review and approval.

18.0 Information Sharing

Policy: BRPC Wires Division may only provide distribution and energy services to members and within its service area and does not market or advertise its Affiliated Energy Contract Rate to the public or its own members. All member information is received by BRCREA (through its BRPC Wires Division) and access to that information is restricted to specific business function (distribution, regulated rate provision, Affiliated Energy Contract Rate provision).

Mechanisms

1. The Compliance Officer will approve all communications and notices with members, including all notices to members regarding retail energy services, regulated rate services or the Affiliated Energy Contract Rate, and the Compliance Officer will ensure that all communications and notices to members respecting the Affiliated Energy Contract Rate are not made in such a way as to promote or market in preference to a regulated rate or another retailer such Affiliated Energy Contract Rate. A record of all communications and notices will be kept by the Compliance Officer.
2. As part of the Compliance Plan Management and Checklist, the Compliance Officer will internally monitor compliance by spot checks of member interaction with officers, employees, contractors and agents who have on going and material contact with members or with member information and will review the BRCREA website semi-annually for compliance.

3. Any changes to the BRCREA website affecting compliance with the Regulation or the compliance plan will be overseen by the Compliance Officer.
4. BRCREA (through its BRPC Wires Division) does not solicit business on behalf of any retailer, including its Affiliated Energy Contract rate or BRR-*Energy* Division and does not allow any retailer, including BRR-*Energy* Division access to any of BRPC's Wires Division written communication.
5. The BRCREA website, newsletter and any other written communication regarding provision of retailer functions on behalf of members will contain the following statements regarding choice:

“Members are free to purchase natural gas services or electricity services from a retailer of their choice. For a list of retailers, visit ucahelps.alberta.ca or call 310-4822 (toll free in Alberta).”
6. The BRCREA website provides information where members may obtain a current list of licensed retailers but does not provide any direct link to any retailer site.
7. Any Call Centre messaging that will be communicated to the public or Members regarding Retail Electric Services must first be reviewed for compliance with the Regulation and approved by the IT Manager. The IT Manager will retain a written record of Call Centre messaging used and the approval.
8. The IT Manager will perform at least quarterly compliance assurance checks on recorded telephone calls to ensure compliance with the Regulation and that Members are referred to the UCA website at ucahelps.alberta.ca when appropriate. The IT Manager will maintain a record of all calls that were reviewed each quarter and report any non-compliance to the Compliance Plan Committee. The records will include information identifying the call centre agent, date the call was received, date the call was reviewed and number of calls monitored.

19.0 Retailer Seeking Member Information

Policy: BRCREA officers (and through its BRPC Wires Division), employees, agents and contractors will not seek or use member information for promoting or marketing of BRR-*Energy* Division Contract or of any other retailer in accordance with the regulation.

Mechanisms

20.0 Acquisitions, Research and Dispositions

Policy: BRCREA (through its BRPC Wires Division and BRR-*Energy* Division)

will allocate and record the economic benefits or cost attributable to each business function for joint acquisitions, shared cost or expenses associate with research and development, or selling, leasing or disposing of jointly acquired property.

Mechanisms

1. BRPC Wires Division's Internal CPA will have segregated income statements to ensure energy is accounted for separately, and will ensure that officers, employees, agents and contractors administration, overhead, financing and other applicable costs, including employees, rent, utility, office equipment and supply costs are properly allocated to the distributor, regulated rate provision and retailer functions as applicable. Annually, energy income statements will be audited by an independent CPA.
2. All financial statements will be prepared in accordance with Canadian accounting standards for not-for-profit organizations as set out in Part III of the CPA Canada Handbook – Accounting as issued by the Accounting Standards Board in Canada and GAAP.
3. The compliance officer will prompt the Board of Directors of BRCREA to review allocation of energy costs to ensure proper and appropriate allocation to the distributor, regulated rate, and retailer functions.
4. The allocation of costs will be reviewed annually by General Manager and independent CPA and a financial analysis will be performed to calculate an appropriate current allocation of energy costs, employees, rent, utility and office equipment and supply costs. and final approval by the Board of Directors.
5. Other than the records and accounting policies and mechanisms outlined above any internal arrangements of BRCREA (through its BRPC Wires Division and BRR-*Energy* Division) proposes to make to create cost efficiencies will be forwarded to the Commission for review and approval.

21.0 Goods and Services Transactions to be at Fair Market Value

Policy: All transactions involving the sale, lease, exchange, transfer or other disposition of goods or services between the BRPC Wires Division and BRR-*Energy* Division will be priced as 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 and at, recorded and allocated to its separate business functions as provided.

Mechanisms

1. BRPC Wires Division's internal CPA will have segregated income statements to ensure energy is accounted for separately, and will ensure that officers, employees, agents and contractors administration, overhead, financing and other applicable costs, including employees, rent, utility, office equipment and supply costs are properly allocated to the distributor, regulated rate provision and retailer functions as applicable. Annually, energy income statements will be

audited by an independent CPA.

2. All financial statements will be prepared in accordance with Canadian accounting standards for not-for-profit organizations as set out in Part III of the CPA Canada Handbook – Accounting as issued by the Accounting Standards Board in Canada and GAAP.
3. The compliance officer will prompt the Board of Directors of BRCEA to review allocation of energy costs to ensure proper and appropriate allocation to the distributor, regulated rate, and retailer functions.
4. The allocation of costs will be reviewed annually by General Manager and independent CPA and a financial analysis will be performed to calculate an appropriate current allocation of energy costs, employees, rent, utility and office equipment and supply costs. and final approval by the Board of Directors of the BRCREA.
5. Other than the records and accounting policies and mechanisms outlined above any internal arrangements BRCREA (through its BRPC Wires Division and BRR- *Energy* Division) proposes to make to create cost efficiencies will be forwarded to the commission for review and approval.

22.0 Financial Transactions

Policy: **BRPC Wires Division will not seek or receive a loan, guarantee, security or other financial transaction as the distributor or regulated rate provider on behalf of BRR-*Energy* Division that are more favorable to the affiliated provider could obtain on the open market.**

Mechanisms

1. BRPC Wires Division’s internal CPA will have segregated income statements to ensure energy is accounted for separately, and will ensure that officers, employees, agents and contractors administration, overhead, financing and other applicable costs, including employees, rent, utility, office equipment and supply costs are properly allocated to the distributor, regulated rate provision and retailer functions as applicable. Annually, energy income statements will be audited by an independent CPA.
2. All financial statements will be prepared in accordance with Canadian accounting standards for not-for-profit organizations as set out in Part III of the CPA Canada Handbook–Accounting as issued by the Accounting Standards Board in Canada and GAAP.
3. The compliance officer will prompt the Board of Directors of BRCREA to review allocation of energy costs to ensure proper and appropriate allocation to the distributor, regulated rate, and retailer functions.
4. The allocation of costs will be reviewed annually by General Manager and independent CPA and a financial analysis will be performed to calculate an appropriate current allocation of energy costs, employees, rent, utility and office equipment and supply costs and final approval by the BRCREA Board of Directors.

5. Other than the records and accounting policies and mechanisms outlined above any internal arrangements BRCREA (through BRPC Wires Division & BRR-*Energy* Division) proposes to make to create cost efficiencies will be forwarded to the commission for review and approval.

23.0 Entities Carrying on more than One Business

Policy: BRCREA (through its BRPC Wires Division and BRR-*Energy* Division, as the case may be) carries on the business of a distributor, a regulated rate supplier and also provides retailer functions to its members and any internal arrangements made will accurately reflect the economic benefits or costs attributable to those respective business functions.

Mechanisms

1. BRPC Wires Division's internal CPA will have segregated income statements to ensure energy is accounted for separately, and will ensure that officers, employees, agents and contractors administration, overhead, financing and other applicable costs, including employees, rent, utility, office equipment and supply costs are properly allocated to the distributor, regulated rate provision and retailer functions as applicable. Annually, energy income statements will be audited by an independent CPA.
2. All financial statements will be prepared in accordance with Canadian accounting standards for not-for-profit organizations as set out in Part III of the CPA Canada Handbook – Accounting as issued by the Accounting Standards Board in Canada and GAAP.
3. The compliance officer will prompt the Board of Directors to review allocation of energy costs to ensure proper and appropriate allocation to the distributor, regulated rate, and retailer functions.
4. The allocation of costs will be reviewed annually by General Manager and independent CPA and a financial analysis will be performed to calculate an appropriate current allocation of energy costs, employees, rent, utility and office equipment and supply costs and final approval by the Board of Directors
5. Other than the records and accounting policies and mechanisms outlined above any internal arrangements BRCREA (through BRPC Wires Division and BRR- *Energy* Division) proposes to make to create cost efficiencies will be forwarded to the commission for review and approval.
6. Financial records will be:
 - Reviewed monthly by the Compliance Officer and Internal CPA
 - Internally audited annually by an independent CPA; and
 - As provided for under the RUA, audited annually by external auditors.
7. The Compliance Officer will approve all communications and notices with members, including all notices to members regarding retail energy services,

regulated rate services or the Affiliated Energy Contract Rate, and the Compliance Officer will ensure that all communications and notices to members respecting the Affiliated Energy Contract Rate are not made in such a way as to promote or market in preference to a regulated rate or another retailer such Affiliated Energy Contract Rate. A record of all communications and notices will be kept by the Compliance Officer.

24.0 Access to Publicly Available Information

Policy: BRPC Wires Division will not restrict access to public information as provided for in the Regulation and if given to retailers (including BRR-Energy Division Energy Contract Rate), will be given to all retailers in the same form and manner and be subject to the same conditions.

Division 2

Repealed AR 208/2020 s2.

Part 4 Compliance Requirements

Division 1 Compliance Plans and Compliance Reports

30.0 Compliance Plan Requirements

Policy: The Compliance Officer will develop compliance training material that will be used to train affected officers, employees, agents and contractors on the provisions of the Regulation, the compliance plan and their duties and responsibilities. The material will include the following material.

- Equal treatment of members
- Protecting confidential member information;
- Equal treatment of retailers; and
- Preventing unfair competitive advantage for the BRR-Energy Division Contract Rate provision.

Mechanisms

1. The Compliance Officer will distribute a copy of the approved Compliance Plan to all BRCREA officers (and through its BRPC Wires Division and BRR-Energy Division) employees, agents and contractors.
2. The Compliance Officer will ensure that the Compliance Plan is implemented through its Mechanisms. The Compliance Plan Committee will monitor and enforce compliance with the Regulation and the Compliance Plan through the 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 remedy the non-

compliance as follows:

- Acknowledging all disputes, complaints or inquiries within 5 working days of its receipt.
 - 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.
4. Quarterly, the Compliance Plan Committee will review the action taken to remedy any non-compliance.
 5. The Compliance Officer will review, make every reasonable effort to resolve, and document all complaints received about non-compliance with the Regulation or the Compliance Plan and how the complaints have been addressed. Quarterly, the Compliance Plan Committee will review how the complaints have been addressed.
 6. The above mechanisms 1 – 5 have been established to ensure compliance with the rules respecting service standards made by the Commission. Quarterly, the Compliance Officer will confirm adherence to the above mechanisms 1 – 5 to monitor and validate that BRPC Wires Division and BRR-*Energy* Division is compliant for all applicable transactions under section 129(1) of the Electric Utilities Act.

32.0 Changes to Compliance Plan

Policy: BRCREA (through its BRPC Wires Division and BRR-*Energy* Division) will amend the Compliance Plan to reflect changes in circumstances and changes to the Regulation, to meet the requirements in accordance with 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 BRCREA officers (and through its BRPC Wires Division and BRR-*Energy* Division), employees, agents and contractors of any amendments approved by the AUC as soon as practicable.

33.0 Quarterly and Annual Compliance Reports

Policy: BRCREA (through its BRPC Wires Division and BRR-*Energy* Division) will report any non-compliance with the Regulation and the Compliance Plan and file annual reports as provided for in the Regulation and any applicable Commission rule.

Mechanisms

1. BRCREA (through its BRPC Wires Division and BRR-*Energy* Division) will file a non-compliance/complaint report with the Commission within 30 days of a complaint being made or becoming aware of an incident of non-compliance with the Regulation or its compliance plan. The non-compliance report will include:
 - Name of the complainant, if applicable.
 - The date of the complaint, if applicable
 - The date the complainant was responded to, if applicable
 - A description of:
 - The non-compliance or complaint regarding the Regulation or the compliance plan, and
 - The action taken to remedy the complaint or non-compliance.
2. The Compliance Officer will provide the General Manager and the Board of Directors of BRCREA a quarterly report detailing any non-compliance with the Regulation or the Compliance Plan, the action taken to remedy any non-compliance, and any complaints of non-compliance and how the complaints have been dealt with.
3. No later than March 31 of each year, the Compliance Officer will send the Commission an annual compliance report that has been approved by the Board of Directors of BRCREA for the previous calendar year which will include any non-compliance, complaints and remedies from the quarterly reports.

34.0 Information About Complaints

Policy: BRCREA (through its BRPC Wires Division and BRR-*Energy* Division) will give notice to the public and its members that complaints about contraventions of the Regulation or the compliance plan may be made to the Commission or the Market Surveillance Administrator.

Mechanisms

1. The Compliance Officer will provide the notice to the AUC for approval prior to the publication of the Notice.
2. BRCREA (through its BRPC Wires Division and BRR-*Energy* Division) will post on its public website the following notice of how complaints about contraventions of the Regulation or the plan may be made to the Commission or the Market Surveillance Administrator:

Complaints about contraventions of the Code of Conduct Regulation may be made to the Alberta Utilities Commission or the Market Surveillance Administrator. The Alberta Utilities Commission can be reached by contacting 1-403-310-4282 or 1-833-511-4282 outside Alberta or info@auc.ab.ca. The Market Surveillance Administrator can be reached by contracting 1-403-705-3181 or compliance@albertamsa.ca. The Alberta Utilities Commission and the Market Surveillance Administrator are independent of BRCREA and BRPC Wires Division and BRR-*Energy* Division. The contact information for the Compliance Officer for BRCREA (and its BRPC Wires Division and BRR-*Energy* Division) is as follows: Sheryl Raras, 780-672-7738, brpc@brpower.coop.

3. Annually, the Compliance Officer will confirm the approved notice is available at brpower.coop.

Division 3 Compliance Audit

40.0 Audit

Policy: BRCREA (through its BRPC Wires Division and BRR-*Energy* Division) will give the auditor access to any information required to conduct the audit and will reimburse the Commission for the auditor's costs and expenses.

Mechanisms

1. The Compliance Officer will ensure the auditor receives full access to all information required to conduct the audit.
2. BRCREA (through its BRPC Wires Division and BRR-*Energy* Division) will retain all code of conduct compliance records listed under Appendix A to its *Electric Utilities Act Code of Conduct Regulation* Compliance Plan for at least three years. The Commission may amend Appendix A from time to time on notice and absent a registered objection, the proposed changes to the appendix will take effect within 10 business days from the date of the notice.

Appendix A – Code of Conduct Compliance Records

- a) Internal reporting documents including Board meeting minutes and compliance reports to Board;
- b) Training materials;
- c) Record of training;
- d) Compliance acknowledgments;
- e) On-boarding / off-boarding processes and documentation;
- f) Record of employee transfers;
- g) Employee / contractor listing;
- h) Customer consent to disclose information;
- i) Customer enrollment records;
- j) Promotional materials;
- k) IT security reports including system access rights reports and documentation of system changes, if any;
- l) Agreements and contracts;
- m) Record of cost allocation and transactions between regulated and unregulated business units, divisions, or affiliated entities; and
- n) Audited financial statements including annual financial statement audit report.