



**FORTISALBERTA INC.**

**Compliance Plan to  
*Code of Conduct Regulation*  
(A.R. 58/2015)**

Effective August 20, 2021

**FortisAlberta Inc.**  
***Code of Conduct Regulation Compliance Plan***

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**FORTISALBERTA INC.**  
***Code of Conduct Regulation Compliance Plan***

**Purpose**

FortisAlberta Inc. (“FortisAlberta”) owns and operates an electric distribution system in Alberta within the service territory granted to it under order of the Alberta Utilities Commission (“AUC”) and its predecessors. FortisAlberta is a Distributor as defined in the *Code of Conduct Regulation*, A.R. 58/2015 (the “*Regulation*”). In its capacity as a Distributor, FortisAlberta only provides regulated electric distribution services to Customers and does not provide retail electricity services, regulated rate service or default retail supply services to Customers. EPCOR Energy Alberta GP Inc. (“EEA”), as an Affiliated Provider, provides such services to FortisAlberta’s electricity distribution service customers. FortisAlberta is not corporately affiliated with EEA or any of EEA’s corporate affiliates or related entities.

The purpose of this Compliance Plan is to establish the systems, policies, and mechanisms that FortisAlberta will use to ensure compliance with the *Regulation* by FortisAlberta 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 FortisAlberta.

This Compliance Plan describes certain obligations and responsibilities of specified FortisAlberta management personnel. Notwithstanding this, and without otherwise reducing or eliminating the obligation and responsibility of the specified FortisAlberta 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 FortisAlberta management personnel to other FortisAlberta personnel.

Questions or comments concerning the Compliance Plan should be directed to the FortisAlberta Compliance Officer (the “Compliance Officer”). Contact information for the Compliance Officer and a copy of the Compliance Plan are available at [www.FortisAlberta.com](http://www.FortisAlberta.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 shall have the meanings set out in the *Regulation* and the Compliance Plan. In the event of any inconsistency in the definitions between the *Regulation* and the Compliance Plan, the *Regulation* definitions will prevail.

a) **Annual Compliance Report** contains:

- any non-compliance with the *Regulation* or the Compliance Plan;
- the action taken to remedy the non-compliance;
- any complaints of non-compliance with the *Regulation* or the Compliance Plan, and how the complaints have been addressed.

b) **AUC** means the Alberta Utilities Commission.

c) **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*.

d) **Compliance Officer** means an officer of FortisAlberta who is responsible and accountable for FortisAlberta's compliance with the *Code of Conduct Regulation* Compliance Plan as approved by the AUC.

e) **Compliance Plan Committee** means a committee composed of the Compliance Officer and, at a minimum, one FortisAlberta management personnel from each of the following areas:

- Customer Relations;
- Retail Services; and
- Regulatory.

f) **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.

g) **FortisAlberta Terms and Conditions** means, collectively, the FortisAlberta Customer Terms and Conditions of Electric Distribution Service and the FortisAlberta Retailer Terms and Conditions of Electric Distribution Service, both as approved by the AUC from time to time. The Terms and Conditions are available at [www.FortisAlberta.com](http://www.FortisAlberta.com).

h) **Training** means FortisAlberta's internal Compliance Plan Training, the details of which are described in the Section 3.0.

i) **UCA** means the Office of the Utilities Consumer Advocate.

## 2.0 Affiliated electricity Retailer and affiliated gas Retailer defined

Retained for numbering consistency

## Part 2 Conduct and Business Practices

### 3.0 Conduct

**Policy:** FortisAlberta 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. Upon their hiring, all FortisAlberta employees receive training on their obligations to comply with the *Regulation* and the terms of this Compliance Plan. The Compliance Officer is responsible for monitoring the completion of this new employee training to ensure that all new employees have received the training required. All new employees are expected to complete the training no later than 30 days following their date of hire.
2. Employees working in areas that have occasional or frequent interaction with Customers on matters related to retail electricity services, such as those employees in the areas of Customer Contact Centre, Retailer Relations and Major Accounts receive enhanced training.

3. Employees operating in the Customer Contact Centre, specifically Customer Service Representatives, receive training on at least an annual basis. This includes, but is not limited to, written materials and classroom based training on matters such as a Customer's right to choose a Retailer of electricity services and on the Corporation's obligation to maintain the confidentiality of Customer Information.
4. Employees working in the areas of Retail Relations and Major Accounts, in addition to their new employee training, receive from the Compliance Officer, on an annual basis, written communications outlining their continuing obligations under the *Regulation* and this Compliance Plan.
5. The training of employees shall include a description of the obligations and requirements of the *Regulation* and this Compliance Plan and also communicate the responsibility for employees and Management to report all complaints or suspected instances of non-compliance to the Compliance Officer for investigation.
6. Where contractors or agents perform work on behalf of FortisAlberta, and that work is subject to the *Regulation*, the contractor or agent is required to review and comply with the *Regulation* and this Compliance Plan.
7. FortisAlberta will ensure that the Compliance Plan is posted on the FortisAlberta website and available to all employees, contractors and agents.

## Division 1 Customers

### 4.0 Tying prohibited

**Policy:** FortisAlberta will not require or induce Customers to acquire goods or services from EEA or any other Retailer by making or appearing to make regulated energy services conditional on the acquisition of those goods or services.

#### Mechanisms

1. FortisAlberta employees, officers, agents and contractors that come in contact with Customers will be made aware of and comply with the Tying prohibition through the Compliance Training described in Section 3.0 above.

## 5.0 Transfer of customers

**Policy:** FortisAlberta will not, without the Customer's consent, transfer the Customer to a Retailer or Retail Energy Services tariff.

### Mechanisms

1. FortisAlberta interprets the intent of this to be that a Distributor cannot, without the consent of a Customer, move the Customer to a Retailer other than the Distributor's Affiliated Provider or transfer the Customer to a retail electricity services tariff other than the owner's regulated rate tariff. FortisAlberta only transfers a Customer to a Retailer or to retail electricity services with a directive to do so by a Retailer, who would have had to obtain the Customer's authorization to do so as such Retailer is also subject to this *Regulation* and FortisAlberta's Terms and Conditions. All Retailer changes and requests that lead to them are recorded and retained.

## 6.0 Prohibited representation

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

### Mechanisms

1. All Retailers, including EEA as FortisAlberta's Affiliated Provider, are subject to the Distribution Tariff and are therefore treated equally. All communications are routinely documented.
2. FortisAlberta's Customer Contact Centre process and procedure training address requests for information about Retail Electricity Services, and will direct the Customer to the UCA website at [www.ucahelps.alberta.ca](http://www.ucahelps.alberta.ca). FortisAlberta does not permit users to access websites of Retailers from its website without stating that Customers are free to choose any Retailer and referring Customers to the list of Retailers maintained by the UCA. FortisAlberta employees, officers, agents and contractors are made aware of prohibition requirements through its Compliance Training Plan.

## 7.0 Advertising

**Policy:** In service areas where the name or logo of FortisAlberta is similar or identical to the name or logo of a Distributor or Regulated Rate Supplier, FortisAlberta will comply with the *Regulation*.

### Mechanisms

1. FortisAlberta will include the following statement on its website and in any advertising that markets energy services:

“Customers 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](http://ucahelps.alberta.ca) or call 310-4822 (toll free in Alberta).”

The above statement will be published on the main page of FortisAlberta’s website and on the first page of any written advertising that markets energy services, that is mailed or emailed to a customer. The statement referred to in Section 7.0 (1) will be in at least 12-point bold type and in a colour that contrasts with the background.

2. An annual audit of the FortisAlberta website will be conducted by the Compliance Officer.

## 8.0 Meetings between distributors or regulated rate suppliers with Retailers and customers

Retained for numbering consistency

## Division 2 Customer Information

### 9.0 Confidentiality of customer information

**Policy:** FortisAlberta will protect the confidentiality of Customer Information and not disclose Customer Information except in accordance with the *Regulation*.

### Mechanisms

1. The Compliance Officer will ensure a Privacy Policy, which complies with AUC Rule 010, AUC Rule 004 *Tariff Billing Code*, AUC Rule 021 *Settlement System Code*, the *Electric Utilities Act* and its *Regulations*, and the *Personal Information Protection Act* and its *Regulation*, is posted on FortisAlberta’s internal and external

websites and is accessible to all employees, contractors and agents. Information about the use and disclosure of Customer information will be available on the website [www.FortisAlberta.com](http://www.FortisAlberta.com).

## 10.0 Disclosure of customer information

**Policy:** FortisAlberta will only disclose Customer Information in accordance with the *Regulation*.

### Mechanisms

1. FortisAlberta will only disclose Customer Information to a Customer, or an agent appointed by a Customer, if permitted by AUC Rule 010, AUC Rule 004 *Tariff Billing Code*, AUC Rule 021 *Settlement System Code*, the *Electric Utilities Act* or its *Regulations*, or the *Personal Information Protection Act* or its *Regulation*, or after the Customer has provided consent. FortisAlberta follows the requirements described in AUC Rule 010 for responding to requests for Customer Information. The necessary forms are available on the following link:

<https://www.fortisalberta.com/customer-service/documents-forms/-in-category/categories/documents/retailers>

2. FortisAlberta's practices in this regard are governed by and comply with AUC Rule 010, AUC Rule 004 *Tariff Billing Code*, AUC Rule 021 *Settlement System Code*, the *Electric Utilities Act* and its *Regulations*, and the *Personal Information Protection Act* and its *Regulation*, in addition to the FortisAlberta Terms and Conditions.

## 11.0 Conditions on disclosure of customer information

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

### Mechanisms

1. FortisAlberta will only disclose Customer Information to a Customer, or an agent appointed by a Customer, if permitted by AUC Rule 010, AUC Rule 004 *Tariff Billing Code*, AUC Rule 021 *Settlement System Code*, the *Electric Utilities Act* and its *Regulations*, and the *Personal Information Protection Act* and its *Regulation*, or after the Customer has provided consent.
2. FortisAlberta will disclose the customer information to the retailer within seven days after receiving the request or the consent, whichever is later. For the cases

where the customer consents to the disclosure of the customer information to two or more retailers, FortisAlberta will disclose the customer information to those retailers at the same time and in the same form and manner, and will not inform any person of the existence of a request, consent or disclosure referred above.

## **12.0 Historical electricity or gas usage**

**Policy:** FortisAlberta will only provide a Retailer with historical usage information in accordance with the *Regulation* and AUC Rule 010.

### **Mechanisms**

1. FortisAlberta will only disclose Customer Information to a Customer, or an agent appointed by a Customer, if permitted by AUC Rule 010, AUC Rule 004 *Tariff Billing Code*, AUC Rule 021 *Settlement System Code*, the *Electric Utilities Act* and its *Regulations*, and the *Personal Information Protection Act* and its *Regulation*, or after the Customer has provided consent. FortisAlberta follows the requirements described in AUC Rule 010 for responding to requests for Customer Information.
2. FortisAlberta will retain a record of all requests and responses in Customer records.

## **13.0 Aggregated customer information**

**Policy:** FortisAlberta will only provide a Retailer with aggregated Customer Information in accordance with the *Regulation*.

### **Mechanisms**

1. FortisAlberta's Retail Support and Call Centre departments will manage all retailer requests for aggregated customer information in accordance with the *Code of Conduct Regulation*. Retail Support and the Call Centre will retain records of retailer requests for aggregated customer information.
2. Retail Support and the Call Centre 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 FortisAlberta website. Retail Support and the Call Centre 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, Retail Support and the Call Centre will place a notice on the FortisAlberta website clearly describing the information and the cost of obtaining the information,

which shall be no more than the costs incurred. The notice will be kept on the website for at least 30 days after the aggregated information is made available.

4. Retail Support and the Call Centre 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:** FortisAlberta 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 FortisAlberta regulated energy services or the FortisAlberta 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. FortisAlberta manages all interactions with Retailers and its Affiliated Provider in accordance with the FortisAlberta Terms and Conditions and the Retailer Service Agreement. FortisAlberta will ensure the FortisAlberta Terms and Conditions are available to all Customers, contractors and agents at [www.FortisAlberta.com](http://www.FortisAlberta.com).

### **15.0 Prohibitions**

**Policy:** FortisAlberta will abide by the prohibitions contained in the *Regulation*.

#### **Mechanisms**

1. FortisAlberta's Customer Contact Centre process and procedure training address requests for information about Retail Electricity Services. FortisAlberta's process and procedures will instruct employees to respond to Customer requests for information concerning Retail Energy Services in a manner that does not encourage a Customer to contact one Retailer in preference to other Retailers. FortisAlberta's Customer Contact Centre process and procedure training instructs employees to

direct the Customer to the list of Retailers maintained by the UCA website at [www.ucahelps.alberta.ca](http://www.ucahelps.alberta.ca).

2. FortisAlberta does not permit users to access websites of Retailers from its website without stating that customers are free to choose any Retailer and referring customers to the list of Retailers maintained by the UCA.
3. FortisAlberta employees, officers, agents and contractors are made aware of prohibition requirements through its Training Plan.
4. FortisAlberta will perform quality assurance checks on recorded Customer telephone calls to the Customer Contact Centre to ensure appropriate responses to Customer requests for information are given. Failure to follow established procedures will result in corrective action including coaching, retraining or discipline of the FortisAlberta employee.

## 16.0 Information about retail energy services

**Policy:** When FortisAlberta receives a request for information about retail energy services it will refer Customers to a source where they may obtain a current list of Retailers that are licensed under the *Consumer Protection Act* to engage in the marketing of electricity or the marketing of gas.

### Mechanisms

1. FortisAlberta's Customer Contact Centre process and procedure training address requests for information about Retail Electricity Services. FortisAlberta's process and procedures will instruct employees to respond to Customer requests for information concerning Retail Energy Services in a manner that does not encourage a Customer to contact one Retailer in preference to other Retailers. FortisAlberta's Customer Contact Centre process and procedure training instructs employees to direct the Customer to the Utilities Customer Advocate ("UCA") website at [www.ucahelps.alberta.ca](http://www.ucahelps.alberta.ca).
2. FortisAlberta does not permit users to access websites of Retailers from its website without stating that customers are free to choose any Retailer and referring customers to the list of Retailers maintained by the UCA.
3. FortisAlberta employees, officers, agents and contractors are made aware of prohibition requirements through its Training Plan.
4. FortisAlberta will perform quality assurance checks on recorded Customer telephone calls to the Customer Contact Centre to ensure appropriate responses to

Customer requests for information are given. Failure to follow established procedures will result in corrective action including coaching, retraining or discipline of the FortisAlberta employee.

### **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:** FortisAlberta will not make any arrangements that create an unfair competitive advantage for the Affiliated Provider.

#### **Mechanisms**

1. Retail Support and the Call Centre will manage all requests for customer information in accordance with the *Code of Conduct Regulation*. Retail Support and the Call Centre will retain records of such requests for customer information.
2. The Compliance Officer will monitor the actions of FortisAlberta employees, officers, agents and contractors for compliance with the *Regulation* and Compliance Plan and will report non-compliances in accordance with the methods set out in Section 33.0 of this Compliance Plan.

### **18.0 Information Sharing**

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

#### **Mechanisms**

1. FortisAlberta provides EEA with Customer Information that EEA requires in its role as regulated Affiliated Provider in accordance with the FortisAlberta Terms and Conditions. Appropriate data management and information access protocols are in place to ensure Customer Information is not improperly disclosed. FortisAlberta has entered into an agreement with its Affiliated Provider that addresses this Policy.

#### **19.0 Retailer seeking customer information**

**Policy:** None Required – FortisAlberta does not provide Retail Energy Services.

#### **20.0 Acquisitions, research and dispositions**

**Policy:** None Required – Although EEA is FortisAlberta’s Affiliated Provider pursuant to the *Regulation*, FortisAlberta and EEA are separate legal and corporate entities and do not participate in joint acquisitions, do not share costs or expenses and do not jointly acquire property.

#### **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 FortisAlberta and EEA 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. Invoicing for the Distribution Tariff by FortisAlberta to EEA, is performed in accordance with the FortisAlberta Terms and Conditions. Financial transactions between FortisAlberta and EEA will be in writing and records will be maintained.

#### **22.0 Financial transactions**

**Policy:** FortisAlberta will not provide a loan, guarantee, security or other financial transaction on terms more favorable could be obtained in the open market to prevent the creation of an unfair competitive advantage.

##### **Mechanisms**

1. Although EEA is FortisAlberta’s Affiliated Provider pursuant to the *Regulation*, FortisAlberta and EEA are separate legal and corporate entities and FortisAlberta will not enter into any such financial transactions with EEA.

**23.0 Entities carrying on more than one business**

**Policy:** None Required – FortisAlberta only carries on business as a regulated electric distribution utility.

**24.0 Access to publicly available information**

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

**Mechanisms**

1. In the event that FortisAlberta provides EEA or any other retailer with information of the kind described at Section 24 of the *Code of Conduct Regulation* (e.g., outage notices), the same information is simultaneously made available to other retailers via transmission to an email distribution list maintained by FortisAlberta's Stakeholder Relations Group. All mailings of publicly available information to the retailer distribution list are recorded in an email archive for audit purposes.

**Division 2 Records and Accounts**

**25.0 Records and accounts**

**Retained for numbering consistency**

**26.0 Written financial transactions**

**Retained for numbering consistency**

**27.0 Records of transactions for goods and services**

**Retained for numbering consistency**

**28.0 Maintaining records**

**Retained for numbering consistency**

## **Part 4 Compliance Requirements**

### **Division 1 Compliance Plans and Compliance Reports**

#### **29.0 Prohibition against providing retail energy services without approved compliance plan**

**Policy:** None Required – FortisAlberta does not provide Retail Energy Services.

#### **30.0 Compliance Plan required**

**Policy:** FortisAlberta will develop compliance training material that will be used to train officers, employees, agents and contractors of FortisAlberta 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;
- Preventing unfair competitive advantage for Affiliated Retailers;
- and
- Other (to be specified).

#### **Mechanisms**

1. (a) Upon their hiring, all FortisAlberta employees receive training on their obligations to comply with the *Regulation* and the terms of this Compliance Plan. The Compliance Officer is responsible for monitoring the completion of this new employee training to ensure that all new employees and officers have received the training required. All new employees are expected to complete the training no later than 30 days following their date of hire. Thereafter, annual refresher training must be completed online with acknowledgements of completion and understanding signed and retained by the Company.
  
- (b) Employees working in areas that have occasional or frequent interaction with Customers on matters related to retail electricity services, such as those employees in the areas of Customer Contact Centre, Retailer Relations and Major Accounts may receive enhanced training at the discretion of the Compliance Officer.

- (c) Employees operating in the Customer Contact Centre, specifically Customer Service Representatives, receive training on at least an annual basis. This includes, but is not limited to, written materials and classroom based training on matters such as a Customer's right to choose a Retailer of electricity services and on the Corporation's obligation to maintain the confidentiality of Customer Information.
  - (d) The training of employees shall include a description of the obligations and requirements of the *Regulation* and this Compliance Plan and also communicate the responsibility for employees and Management to report all complaints or suspected instances of non-compliance to the Compliance Officer for investigation.
  - (e) Where contractors or agents perform work on behalf of FortisAlberta, and that work is subject to the *Regulation*, the contractor or agent is required to review and comply with the *Regulation* and this Compliance Plan.
  - (f) FortisAlberta will ensure that the Compliance Plan is posted on the FortisAlberta website and available to all employees, contractors and agents.
2. The Compliance Committee will be accountable for the implementation of the Compliance Plan and the Mechanisms herein.
  3. The Compliance Committee will ensure procedures are in place to internally monitor compliance with the Compliance Plan and to identify any instances of non-compliance.
  4. The Compliance Committee will meet quarterly to discuss compliance with the *Regulation* and Compliance Plan. Minutes will be taken at each quarterly meeting and made available for audit purposes.
  5. The Compliance Officer is responsible for investigating and resolving complaints with respect to FortisAlberta's compliance with the *Regulation* or Compliance Plan.

## **31.0 Approval by Commission**

**Retained for numbering consistency**

## **32.0 Changes to Compliance Plan**

**Policy: FortisAlberta will amend the Compliance Plan to reflect changes in circumstances and changes to the *Regulation*.**

### **Mechanisms**

1. The Compliance Committee is accountable for ensuring the Compliance Plan is kept current and for any required amendments.
2. The Compliance Officer will be accountable for submitting any amended Compliance Plan to the AUC as required.
3. The Compliance Officer will notify FortisAlberta employees, contractors and agents of any amendments approved by the AUC as soon as practicable.

### **33.0 Annual compliance reports**

**Policy:** FortisAlberta will report any non-compliance with the *Regulation* and the Compliance Plan and file annual reports in accordance with the *Regulation* and any applicable Commission rule.

### **Mechanisms**

1. The Compliance Committee will prepare a Compliance Report describing any non-compliance in accordance with the *Regulation*, Compliance Plan. The Compliance Officer will provide the reports to FortisAlberta's Board of Directors for review as required.
2. Within 90 days after the end of each calendar year, the Compliance Officer will file an Annual Compliance Report with the AUC which has been approved by the Board of Directors.

### **34.0 Information about complaints**

**Policy:** FortisAlberta will give notice to the public that complaints about contraventions of the *Regulation* or the Compliance Plan may be made to the Commission or the Market Surveillance Administrator.

## **Mechanisms**

1. FortisAlberta will ensure the following notice is available to all Customers on the website [www.FortisAlberta.com](http://www.FortisAlberta.com):

*The Code of Conduct Regulation governs aspects of Alberta's retail electricity and natural gas market and is intended to create a level playing field for Retailers, while at the same time ensuring that Customers and Customer Information are adequately protected.*

*Any person that feels that FortisAlberta has failed to conduct its business in accordance with the Code of Conduct Regulation may submit a complaint to:*

*The Alberta Utilities Commission  
403-310-4282 in Alberta  
1-833-511-4282 outside Alberta  
Email [info@auc.ab.ca](mailto:info@auc.ab.ca)*

*or to:*

*The Market Surveillance Administrator  
403-705-3181  
Email [compliance@albertamsa.ca](mailto:compliance@albertamsa.ca)*

*The Alberta Utilities Commission and the Market Surveillance Administrator are independent of FortisAlberta and EPCOR Energy Alberta GP Inc.*

### **35.0 Publication of compliance plans and reports**

**Retained for numbering consistency**

### **36.0 Regulation prevails**

**Policy: Compliance by FortisAlberta with the Compliance Plan requirements does not release FortisAlberta from complying with the *Regulation*.**

## **Mechanisms**

1. None Required.

## Division 2 Varying Arrangements

### 37.0 Alternative compliance arrangements

Retained for numbering consistency

### 38.0 Emergency exceptions

**Policy:** Any action taken by FortisAlberta 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. FortisAlberta will report emergency situations that fall under Section 38 of the *Code of Conduct Regulation* and the Compliance Plan to the Commission within 30 days of such an emergency occurring and to the Compliance Committee at the first quarterly meeting following such an emergency occurring. All such emergency situations will be reported to and recorded by the Compliance Officer.

## Division 3 Compliance Audit

### 39.0 Appointment of auditor

Retained for numbering consistency

### 40.0 Audit

**Policy:** FortisAlberta 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 in accordance with AUC Rule 006.

FortisAlberta will retain all code of conduct compliance records listed under Appendix A to the 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.

## **Mechanisms**

1. Management of FortisAlberta, with guidance as required by the Compliance Officer, will ensure auditors have sufficient access to employees, officers, contractors, agents, records and systems.

### **41.0 Audit report**

**Retained for numbering consistency**

## **Division 4 Investigations**

### **42.0 Referral of matters to MSA**

**Retained for numbering consistency**

### **43.0 Notice to Commission of MSA investigations**

**Retained for numbering consistency**

### **44.0 Information sharing between Commission and MSA**

**Retained for numbering consistency**

## **Part 5**

### **Transitional Provisions, Repeal and Coming Into Force**

### **45.0 Approvals under *Code of Conduct Regulation* (AR 160/2003)**

**Retained for numbering consistency**

### **46.0 Approvals under *Code of Conduct Regulation* (AR 183/2003)**

**Retained for numbering consistency**

### **47.0 Consents continued**

**Retained for numbering consistency**

### **48.0 Market Surveillance and Commission duties**

**Retained for numbering consistency**

**49.0 Repeal**

**Retained for numbering consistency**

**50.0 Expiry**

**Retained for numbering consistency**

**51.0 Coming Into force**

**Policy: The Compliance Plan will be effective on the date it is approved by the AUC and remains effective until amended or revoked.**

**Mechanism**

1. None Required.

## Appendix A

**The following compliance records will be retained by the Company for a period of three years for the Commission to carry out future audits, as required under Section 40 of the *Regulation*.**

1. Internal reporting documents including internal compliance assessments, Compliance Committee / Board minutes, compliance reports to the Board;
2. Training materials;
3. Record of training;
4. Compliance acknowledgements;
5. On-boarding / off-boarding processes and documentation;
6. Record of employee transfers;
7. Employee / contractor listing;
8. Customer consent to disclose information;
9. Customer enrollment records;
10. Promotional materials;
11. IT security reports including system access rights reports or system change reports where applicable;
12. Agreements and contracts;
13. Record of cost allocation and transactions between regulated and unregulated business units, divisions, or affiliated entities; and
14. Audited financial statements including annual financial statement audit reports.