



ATCO Energy

## Code of Conduct Regulation (A.R. 58/2015)

With amendments up to and including Alberta Regulation 208/2020  
Current as of November 12, 2020

## Compliance Plan

Effective Date: March 1, 2022





## ATCO ENERGY

### CODE OF CONDUCT REGULATION COMPLIANCE PLAN

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## **ATCO Energy Code of Conduct Regulation Compliance Plan**

### **Purpose**

ATCO Gas, a division of ATCO Gas & Pipelines Ltd. ("ATCO Gas") builds, operates and maintains natural gas distribution pipelines. ATCO Electric Distribution, a division of ATCO Electric Ltd. ("ATCO Electric") builds, operates and maintains electric distribution facilities in Alberta. ATCO Gas and ATCO Electric (the "ATCO Distributors") are Distributors as defined in the *Code of Conduct Regulation*, A.R. 58/2015 (the "Regulation").

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. Under the Regulation, ATCO Energy is an affiliated provider of the ATCO Distributors as they are all indirect, wholly-owned subsidiaries of Canadian Utilities Limited. Accordingly, ATCO Energy must obtain approval of this Compliance Plan from the Alberta Utilities Commission (the "AUC"). This Compliance Plan will be effective on June 27, 2017 and was amended on March 1, 2022 and remains effective until amended or revoked.

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

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

This Compliance Plan describes certain obligations and responsibilities of ATCO Energy. The Compliance Officer (as defined below) will be responsible and accountable for ensuring any specific requirements of this Compliance Plan are satisfied. In certain circumstances, and without otherwise reducing or eliminating the obligations and responsibilities of ATCO Energy, the Compliance Officer may delegate responsibilities to other specified ATCO Energy 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 Energy Compliance Officer (the "Compliance Officer"). Contact information for the Compliance Officer and a copy of the Compliance Plan is available at <https://energy.atco.com/en-ca/energy-compliance.html>.

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 Distributors**" means ATCO Gas, a division of ATCO Gas & Pipelines Ltd., and ATCO Electric Distribution, a division of ATCO Electric Ltd.
- c) "**AUC**" means the Alberta Utilities Commission.
- d) "**Call Centre**" means the department responsible for interfacing with Customers regarding the provision of Retail Energy Services.
- e) "**Compliance Officer**" means an employee of ATCO Energy with appropriate knowledge of the business and who is responsible and accountable for ATCO Energy's compliance with the Regulation.
- f) "**Compliance Plan Committee**" means a committee composed of the Compliance Officer and ATCO Energy employees in a position of knowledge representing the business areas may include, but not limited to:
  - Accounting;
  - Sales;
  - Customer Care;
  - Compliance.
- g) "**Compliance Training Material**" means material developed by ATCO Energy prior to the end of each calendar year that will be used to train officers, employees, agents and contractors of ATCO Energy 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;



- Protection of confidential Customer Information; and
  - Preventing unfair competitive advantage for Affiliated Providers.
- h) "**Fair Competition Statement**" means the fair competition statement contained in Section 7(1) of the Regulation.
- i) "**Regulation**" means the *Code of Conduct Regulation*, A.R. 58/2015.
- j) "**UCA**" means Office of the Utilities Consumer Advocate.

## 2.0 Retained for Numbering Consistency

### Part 2 Conduct and Business Practices

## 3.0 Conduct

**Policy:** ATCO Energy officers, employees, agents and contractors will conduct themselves and their activities 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.
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.
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.
4. The Compliance Officer will identify the applicable agents and contractors to be trained on the requirements of the Regulation and this Compliance Plan. Prior to commencing their relationship with ATCO Energy, applicable agents and contractors will provide written acknowledgements of their responsibility to abide by the requirements of the Regulation and this Compliance Plan.

5. The Compliance Plan will be posted on the ATCO Energy website within 15 days of approval of the Compliance Plan by the AUC.
6. The Compliance Officer shall provide a copy of the Compliance Plan to the ATCO Distributors within 15 days of approval of the Compliance Plan by the AUC.

## **Division 1 Customers**

### **4.0 Tying Prohibited**

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

#### **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 of Compliance Training.
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 Energy website and provide a copy to the ATCO Distributors within 15 days of approval of the Compliance Plan by the AUC.
3. Call Centre messaging that will be communicated to the public or Customers regarding Retail Energy Services will be reviewed for compliance with the Regulation.
4. At least monthly, the Call Centre performs quality assurance checks on recorded telephone calls to ensure compliance with the Regulation.
5. The Fair Competition Statement will be applied to all ATCO Energy channels for enrolling Customers for Retail Energy Services. In the case of the Call Centre, the Fair Competition Statement is a pre-recorded message that Customers will hear as they navigate through the options menu. With respect to written or electronic sign-ups, the Fair Competition Statement is prominently displayed on the website or point-of-sale materials. For all other scenarios, Customers will ultimately see or



hear the Fair Competition Statement through the two primary sign-up entry points identified as phone or website.

6. The Fair Competition Statement will be displayed on the main page of the ATCO Energy website.
7. The Compliance Officer will review examples of written materials used for advertising that markets Retail Energy Services for compliance with the Regulation.
8. ATCO Energy will include the Fair Competition Statement in advertising and communications targeted at soliciting Customers for Retail Energy Services as required by Section 7 of the Regulation.

## 5.0 Retained for Numbering Consistency

## 6.0 Prohibited Representation

**Policy:** ATCO Energy 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 the ATCO Distributors 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 on the Compliance Training Material that includes sufficient information addressing the requirements described in the above policy.
2. As described in Mechanism 5 and 6 in Section 3.0, the Compliance Officer will make the Compliance Plan available to the public on the ATCO Energy website and provide a copy to the ATCO Distributors within 15 days of approval of the Compliance Plan by the AUC.
3. As described in Mechanism 3 in Section 4.0, any Call Centre messaging that will be communicated to the public or Customers regarding Retail Energy Services will be reviewed for compliance with the Regulation.
4. As described in Mechanism 4 in Section 4.0, at least monthly the Call Centre performs quality assurance checks on recorded telephone calls to ensure compliance with the Regulation.

5. As described in Mechanism 5 in Section 4.0, the Fair Competition Statement will be applied to all ATCO Energy channels for enrolling Customers for Retail Energy Services. In the case of the Call Centre, the Fair Competition Statement is a pre-recorded message that Customers will hear as they navigate through the options menu. With respect to written or electronic sign-ups, the Fair Competition Statement is prominently displayed on the website or point-of-sale materials. For all other scenarios, Customers will ultimately see or hear the Fair Competition Statement through the two primary sign-up entry points identified as phone or website.
6. As described in Mechanism 6 in Section 4.0, the Fair Competition Statement will be displayed on the main page of the ATCO Energy website.
7. As described in Mechanism 7 in Section 4.0, annually, the Compliance Officer will review examples of written materials used for advertising that markets Retail Energy Services for compliance with the Regulation.
8. As described in Mechanism 8 in Section 4.0, ATCO Energy will include the Fair Competition Statement in advertising and communications targeted at soliciting Customers for Retail Energy Services as required by Section 7 of the Regulation.

## 7.0 Advertising

**Policy:** ATCO Energy will advertise in accordance with the regulation.

### **Mechanism**

1. As described in Mechanism 3 in Section 4.0, any Call Centre messaging that will be communicated to the public or Customers regarding Retail Energy Services will be reviewed for compliance with the Regulation.
2. As described in Mechanism 4 in Section 4.0, at least monthly the Call Centre performs quality assurance checks on recorded telephone calls to ensure compliance with the Regulation.
3. As described in Mechanism 5 in Section 4.0, the Fair Competition Statement will be applied to all ATCO Energy channels for enrolling Customers for Retail Energy Services. In the case of the Call Centre, the Fair Competition Statement is a pre-recorded message that Customers will hear as they navigate through the options menu. With respect to written or electronic sign-ups, the Fair Competition Statement is prominently displayed on the website or point-of-sale materials. For all other scenarios, Customers will ultimately see or hear the Fair Competition Statement through the two primary sign-up entry points identified as phone or website.

4. As described in Mechanism 6 in Section 4.0, the Fair Competition Statement will be displayed on the main page of the ATCO Energy website in 12 point font.
5. As described in Mechanism 7 in Section 4.0, quarterly, the Compliance Officer will review examples of written materials used for advertising that markets Retail Energy Services for compliance with the Regulation.
6. As described in Mechanism 8 in Section 4.0, ATCO Energy will include the Fair Competition Statement in advertising and communications targeted at soliciting Customers for Retail Energy Services as required by Section 7 of the Regulation.

## 8.0 Retained for Numbering Consistency

### Division 2 Customer Information

## 9.0 Confidentiality of Customer Information

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

### Mechanisms

1. As described in Mechanisms 1-4 of 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.
2. Annually, the Compliance Officer will confirm ATCO Energy's privacy commitments to comply with applicable federal and provincial legislation are available at <https://energy.atco.com/en-ca/energy-compliance.html>. The privacy commitment includes information about policies and practices on the use and disclosure of personal information, how Customers can access or update personal information, and contact information for ATCO Energy's Privacy Officer.
3. ATCO Energy will report disclosures of customer information as follows:
  - a. Any disclosure of customer information to an affiliated provider that is not permitted by Section 10 of the *[Code of Conduct] Regulation* will be reported in ATCO Energy's annual report under Section 33 of this Compliance Plan.
  - b. Any disclosure of customer information that is not permitted by Section 10 of the Regulation, and to which the *Freedom of Information and Protection of Privacy Act* or the *Personal Information Protection Act* does not apply, shall be



reported in ATCO Energy's annual report under Section 33 of this Compliance Plan.

- c. Any disclosure of customer information to a person or entity other than an affiliated provider that is not permitted by Section 10 of the Regulation, and to which the *Freedom of Information and Protection of Privacy Act* or the *Personal Information Protection Act* applies, shall be reported to ATCO Energy's Privacy Officer and in accordance with ATCO's privacy commitments and any applicable requirements of the *Freedom of Information and Protection of Privacy Act* and the *Personal Information Protection Act*.

#### **10.0 Disclosure of Customer Information**

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

##### **Mechanisms**

- 1. ATCO Energy's officers, employees, agents and contractors will only disclose Customer Information after the Customer has provided consent. Verbal consent is recorded at the Call Center and electronic consent is documented through website interactions during the Customer enrollment process.

#### **11.0 Retained for Numbering Consistency**

#### **12.0 Historical Electricity or Gas Usage**

**Policy:** ATCO Energy will not request a customer's historical electricity or gas usage information without the customer's consent.

##### **Mechanisms**

- 1. None required.

#### **13.0 Retained for Numbering Purposes**

### **Division 3**

#### **Business Practices of Distributors and Regulated Rate Suppliers**

#### **14.0 Retained for Numbering Purposes**

#### **15.0 Retained for Numbering Purposes**

#### **16.0 Retained for Numbering Purposes**



**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 Energy shall not make arrangements that create an unfair competitive advantage.

**Mechanisms**

1. The Compliance Officer will confirm that to the best of his/her knowledge, transactions between ATCO Energy and ATCO Distributors have not created an unfair advantage for ATCO Energy. The confirmation will be documented in the minutes of Compliance Plan Committee meetings.
2. The Compliance Officer will review the documented terms of all arrangements to create cost efficiencies between ATCO Energy and ATCO Distributors, and identify for each transaction or series of transactions whether the terms have created an unfair competitive advantage for ATCO Energy.
3. In advance of the transaction the Compliance Officer will review each proposed transaction between ATCO Energy and ATCO Distributors and will identify each type of transaction or series of transactions for which the annual amount is expected to exceed \$500,000. The Compliance Officer will confirm that transaction types for which the annual amount is expected to exceed \$500,000 are documented by an agreement and supported with written evidence of Fair Market Value.
4. 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, 21 or 23 of the Regulation, ATCO Energy 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 Energy will modify or terminate the arrangement in accordance with the directions of the Commission.

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, 21 or 23 of the Regulation, ATCO Energy 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:** Energy will not receive Customer Information from the ATCO Distributors except as permitted by Sections 10, 11, 12 and 13 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 above policy.
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 Energy website and provide a copy to the ATCO Distributors 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 ATCO Energy's privacy commitments to comply with applicable federal and provincial legislation are available at <https://energy.atco.com/en-ca/energy-compliance.html>. 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 Energy's Privacy Officer.

## **19.0 Retailer Seeking Customer Information**

**Policy:** ATCO Energy will not seek or receive Customer Information from a current or former officer, employee, agent or contractor of the ATCO Distributors for sales or marketing purposes.

### **Mechanisms**

1. None Required.

## **20.0 Acquisitions, Research and Dispositions**

**Policy: To prevent the creation of an unfair competitive advantage ATCO Energy and ATCO Distributors 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. As described in Mechanism 1 in Section 17.0, the Compliance Officer will confirm quarterly that to the best of his/her knowledge transactions between ATCO Energy and ATCO Distributors have not created an unfair competitive advantage for ATCO Energy. The confirmation will be documented in the minutes of Compliance Plan Committee meetings.
2. As described in Mechanism 2 in Section 17.0, the Compliance Officer will conduct a review of the documented terms of all joint acquisitions, research and dispositions between ATCO Energy and ATCO Distributors, and identify for each transaction or series of transactions whether the terms have created an unfair competitive advantage for ATCO Energy.
3. As described in Mechanism 3 of Section 17.0, in advance of the transaction the Compliance Officer will review each proposed transaction between ATCO Energy and ATCO Distributors 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 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 Distributors 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, the Compliance Officer will confirm that to the best of his/her knowledge transactions between ATCO Energy and



ATCO Distributors have not created an unfair competitive advantage for ATCO Energy.

2. As described in Mechanism 2 in Section 17.0, the Compliance Officer will conduct a review of the documented terms of all goods and services transactions between ATCO Energy and ATCO Distributors, and identify for each transaction or series of transactions whether the terms have created an unfair competitive advantage for ATCO Energy.
3. As described in Mechanism 3 of Section 17.0, in advance of the transaction the Compliance Officer will review each proposed transaction between ATCO Energy and ATCO Distributors and will identify each type of transaction or series of transactions for which the annual amount is expected to exceed \$500,000. The Compliance Officer will confirm that transaction types for which the annual amount is expected to exceed \$500,000 are documented by an agreement and supported with written evidence of Fair Market Value.

## 22.0 Financial Transactions

**Policy:** ATCO Energy will not seek or receive a loan, guarantee, security or other financial transaction with, or on behalf of, the ATCO Distributors 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. As described in Mechanism 1 in Section 17.0, the Compliance Officer will confirm that to the best of his/her knowledge transactions between ATCO Energy and ATCO Distributors have not created an unfair competitive advantage for ATCO Energy. The confirmation will be documented in the minutes of Compliance Plan Committee meetings.
2. As described in Mechanism 2 in Section 17.0, the Compliance Officer will conduct a review of the documented terms of all financial transactions between ATCO Energy and ATCO Distributors, and identify for each transaction whether the terms have created an unfair competitive advantage for ATCO Energy.
3. As described in Mechanism 3 of Section 17.0, in advance of the transaction the Compliance Officer will review each proposed transaction between ATCO Energy and ATCO Distributors 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 are documented by an agreement and supported with written evidence of Fair





Market Value.

**23.0 Retained for Numbering Consistency**

**24.0 Retained for Numbering Consistency**

**25.0 Retained for Numbering Consistency**

**26.0 Retained for Numbering Consistency**

**27.0 Retained for Numbering Consistency**

**28.0 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:** ATCO Energy has an approved compliance plan, supporting the provision of Retail Energy Services to Customers.

#### **Mechanisms**

1. The approved compliance plan is publicly available on the ATCO Energy website at <https://energy.atco.com/en-ca/energy-compliance.html>.

**30.0 Compliance Plan Required**

**Policy:** ATCO Energy'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 at least once annually 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. At least once annually, 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. At least once annually, the Compliance Plan Committee will review how the complaints have been addressed.

### **31.0 Retained for Numbering Consistency**

### **32.0 Changes to Compliance Plan**

**Policy: ATCO Energy 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 Energy officers, employees, agents and contractors of any amendments approved by the AUC as soon as practicable.
3. ATCO Energy will revise the Compliance Plan in the event of a material change in the Regulation or to ATCO Energy's business processes. Any revisions to the Compliance Plan will be submitted to the AUC for review and approval.

### **33.0 Annual Compliance Reports**

**Policy: ATCO Energy will report any non-compliance with the Regulation and the Compliance Plan and file annual reports in accordance with the Regulation.**

### **Mechanisms**

1. 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.
2. The Compliance Officer will provide the approved Annual Compliance Report to the AUC within 90 days following the end of each calendar year.
3. Any non-compliance will be reported to the AUC in accordance with the Regulation.

### **34.0 Information about Complaints**

**Policy:** ATCO Energy 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 the publication of the notice.
2. Annually, the Compliance Officer will ensure the notice is available at <https://energy.atco.com/en-ca/energy-compliance.html>.

### **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 Energy in response to an emergency that threatens public safety, the safety of officers, employees, contractors or agents, does not contravene the Regulation or the Compliance Plan.



### **Mechanisms**

1. In the event of an emergency, the Compliance Officer will record an 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.
2. Any emergency exceptions will be reported in annual compliance reports and documented in the minutes of quarterly Compliance Plan Committee meetings.

## **Division 3 Compliance Audit**

### **39.0 Retained for Numbering Consistency**

### **40.0 Audit**

**Policy: ATCO Energy will retain all code of conduct compliance records listed under Appendix A for at least three years and give the auditor access to any information required to conduct the audit and will reimburse the AUC for the auditor's costs and expenses.**

### **Mechanisms**

1. The Compliance Officer will permit sufficient access to records, and information systems for the auditor to perform the required audit.
2. 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.

### **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, amended on January 1, 2022 and remains effective until amended or revoked.**

**Mechanisms**

1. None Required.

## Appendix A – List of code of conduct compliance records

As per Section 40.0 Audit, the following list of records, pertaining to sections of this Plan for which compliance records are pertinent, will be maintained for a minimum of three years:

Section	Code of Conduction Compliance Record
3.0	Human resources will retain compliance training material and will maintain a list of applicable officers and employees to be trained, and upon training completion, will retain officer and employee written acknowledgements.
	Human Resources will maintain records of all employees commencing employment or transferring, including employee on-boarding/off-boarding processes.
	Procurement will maintain a list of applicable agents and contractors requiring Compliance Training Material, and upon delivery, will retain agent and contractor written acknowledgements.
4.0	Customer Care and Billing will retain a written record of Call Centre messaging used and the approval.
	Customer Care and Billing will maintain a record of all calls that were reviewed monthly 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.
6.0	Customer Care and Billing will retain a written record of Call Centre messaging, including associated approvals, communicated to the public or Customers regarding Retail Energy Services.
7.0	Marketing and Communications will maintain a log of all approved promotional, consumer awareness and education materials distributed to the public or Customers.
9.0	The Compliance Officer will retain a record of annual confirmation that ATCO Energy’s privacy commitments comply with applicable federal and provincial legislation.
10.0	Customer Care and Billing will retain a record of all customer enrollment records, as documented through call and website interactions. The record will include information identifying the call center agent, date the call was received, date of verbal or electronic consent, and date of approval.



Section	Code of Conduction Compliance Record
10.0	Customer Care and Billing will retain a record of all verbal and electronic customer consent to disclose information.
17.0	The Compliance Officer will retain a summary of the review of all agreements and contracts to create cost efficiencies between ATCO Electric and ATCO Energy.
	The Compliance Officer will retain a copy of new and proposed arrangements and contracts between ATCO Energy and regulated and unregulated business units, divisions, or affiliate entities.
22.0	The Controller will maintain records of audited financial statements including annual financial statement audit reports.
33.0	The Compliance officer will maintain records of Internal reporting documents including internal compliance assessment, Compliance Plan Committee meeting minutes and compliance reports to the Board of Directors.