

July 13, 2022

AUC Rules in Favour of Municipalities Related to Street Light Investments

The RMA provided input into the Alberta Utilities Commission review

The Alberta Utilities Commission (AUC) has determined that the refund of the Fortis Alberta Inc. (Fortis) street light investment is to be paid to municipalities in cases where the municipality and developer are in dispute on the intended recipient of the refund.

In late 2021, Fortis filed an application with the AUC seeking clarification on how the refunds should be directed in new development. This was due to concerns expressed by some developers that Fortis' current terms and conditions indicated that the refund should be directed to developers, as the initial investor in the street light infrastructure, rather than municipalities, as the long-term street light service user.

Fortis' existing terms and conditions included some inconsistencies as to where the refund be directed. The AUC's decision directs Fortis to modify its terms and conditions and associated processes to clarify that municipalities are the primary recipient of the refund. This aligns with the RMA's input into the hearing process and is a positive step in supporting municipal autonomy and recognition of municipal service delivery costs.

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