

National Energy
Board



Office national
de l'énergie

National Energy Board Cost Recovery Regulations for the Electricity Industry

Regulation Process

2 June 2005
Hotel Queen Elizabeth, Montreal

Canada



OVERVIEW OF THE FEDERAL REGULATION PROCESS

1. Legal considerations when drafting Regulations
2. The Regulation Process
3. Brief overview of the new *User Fees Act*
4. Consultation Process
5. Timeline

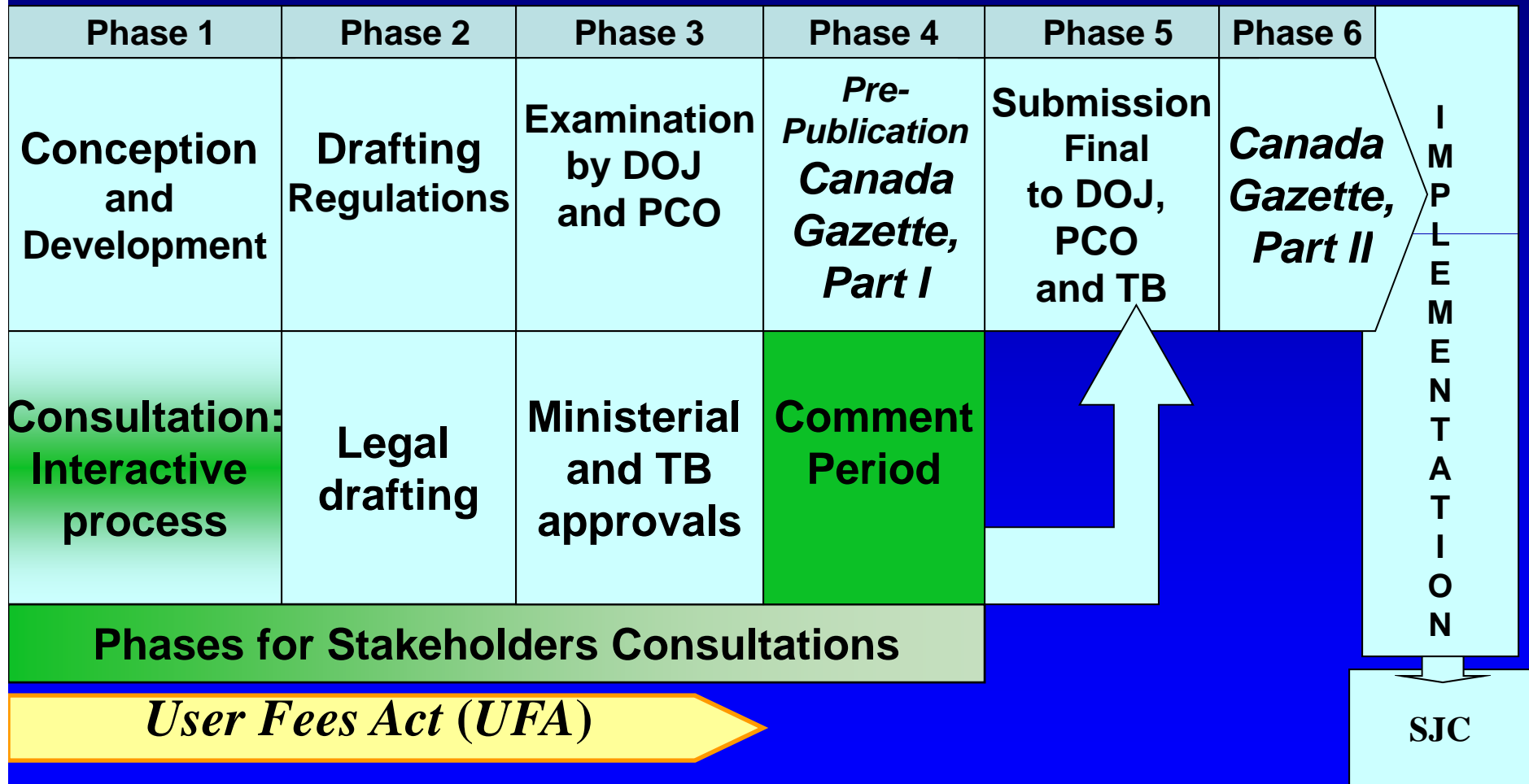


Legal Considerations

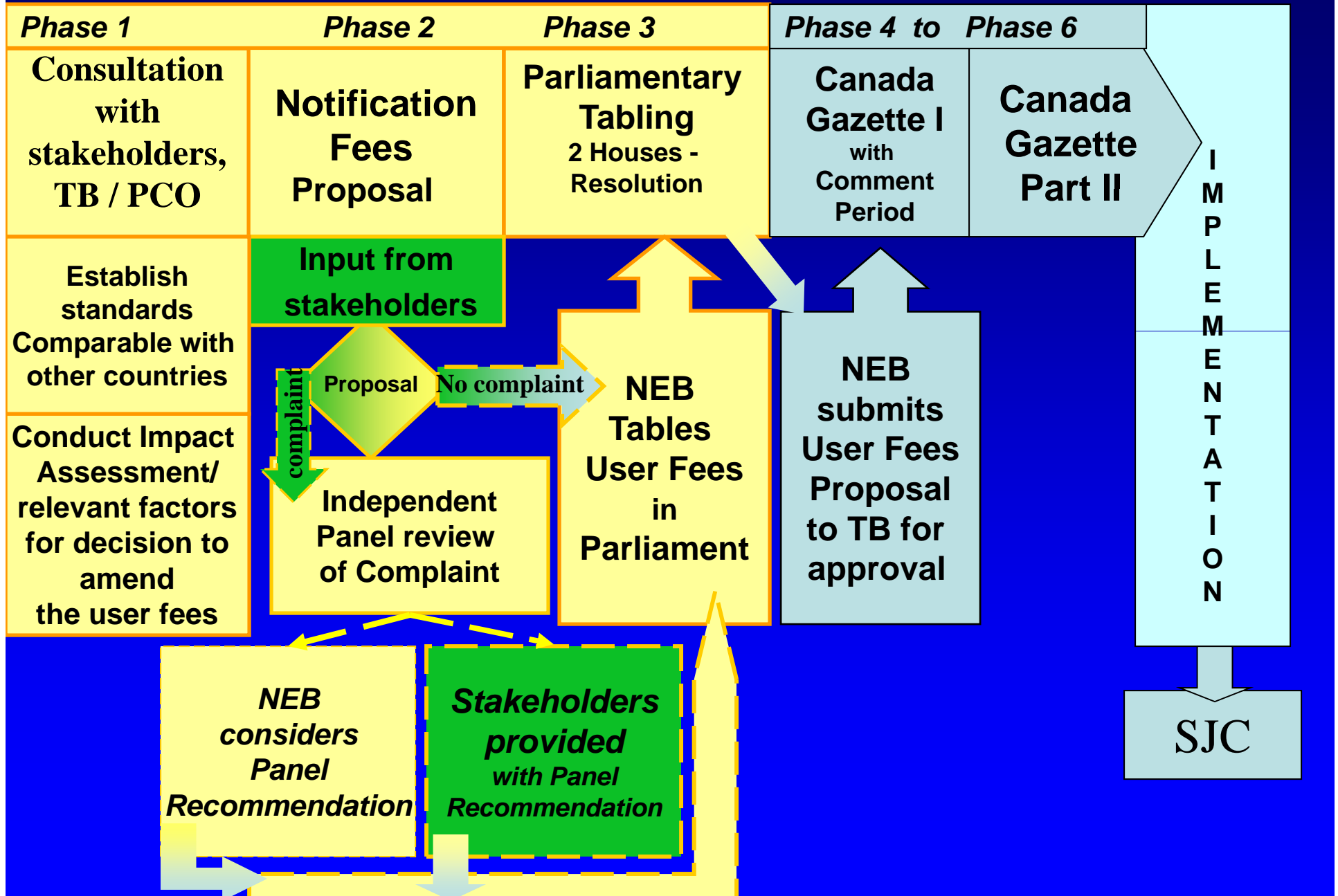
- ◆ *The Constitution Act, 1867*
- ◆ *Statutory Instrument Act, ss. 19.1*
- ◆ *Statutory Instruments Regulations*
- ◆ *Official Languages Act*
- ◆ *Financial Administration Act, Chap. F-11*
- ◆ ***User Fees Act, 2004, Chap. 6***
- ◆ *National Energy Board Act, R.S.C. 1985, Chap. N-7, s. 24.1*
- ◆ *National Energy Board Cost Recovery Regulations, SOR/91-7*
- ◆ *International Agreements*
- ◆ *The Government of Canada Regulatory Policy*
- ◆ *The Policy on Service Standards for External Fees, 29 Nov. 2004. [replace the External Charging Policy]*
- ◆ *Etc.*



Regulation Process



Regulation Process: *UFA* Phases





Consultation Process

The importance of the Consultation Process:

- ◆ to identify concerns
- ◆ to disclose to stakeholders information relevant to the amendment and management of an external charge
- ◆ to allow stakeholders an opportunity to provide their input and to receive timely and considered feedback from the NEB.



Regulation Process - Timeline

The duration of the regulation process can vary.

The process may be delayed if:

- ◆ the regulation is complex
- ◆ the issue is controversial
- ◆ the magnitude of potential impact is high
- ◆ etc.



Regulation Process - Summary

- ◆ Consultation
- ◆ Drafting
- ◆ **Notification of the Fees Proposal**
- ◆ **Parliamentary Tabling**
- ◆ Forward to Justice and PCO for approval
- ◆ Treasury Board approval
- ◆ Pre-publication
- ◆ Promulgation



The Regulation Process:

Conclusion

- You will be consulted during the first 4 phases of the process
- It is a lengthy process
- For the benefit of all the industry and all Canadians

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Thank you !

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