



Alberta Electric System Operator

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October 30, 2025

Standing Committee on Resource Stewardship
c/o Committee Clerk
Legislative Assembly of Alberta

RSCommittee.Admin@assembly.ab.ca

Dear Standing Committee on Resource Stewardship

Re: Review of the *Public Interest Disclosure (Whistleblower Protection) Act*

We are writing in response to your September 18, 2025 email seeking input from stakeholders regarding the *Public Interest Disclosure (Whistleblower Protection) Act* (PIDA). PIDA does not apply to the AESO¹, and we appreciate this opportunity to provide input to the Standing Committee on Resource Stewardship supporting our view that the AESO should remain excluded from PIDA's application.

The AESO is committed to ensuring employees have a safe and effective means of disclosing wrongdoing without fear of reprisal. Indeed, over the past 20 years the AESO's comprehensive complaint disclosure regime has demonstrated its effectiveness and administrative efficiency. It has become familiar to and trusted by AESO employees and other stakeholders. Thus, we submit that the AESO should continue to be excluded from PIDA as such a change could compromise the effectiveness of our well-established process and result in additional complexity and administrative burden without any additional value. Our submission is based on the following reasons.

1. The AESO has a well established and comprehensive *Complaints Procedure*
 - a) The *Complaints Procedure* mirrors the requirements of Section 5 of PIDA and provides AESO employees with a consistent and clear process to safely and confidentially disclose wrongdoings without fear of reprisal.

¹ PIDA applies to a "public entity" which is defined in the Act and corresponding Regulations as an agency, board commission, Crown corporation or provincial corporation as defined in the *Financial Administration Act*. Section 7(3) of the *Electric Utilities Act* states that the AESO is not a Provincial corporation for the purposes of the *Financial Administration Act*.

- b) The *Complaints Procedure* applies the same rigorous disclosure process to a broader scope of wrongdoings than those contemplated by PIDA. This comprehensive approach ensures there is minimal administrative burden and complexity as there is only one *Complaints Procedure* to follow regardless of the type of wrongdoing.
2. The AESO has independent oversight relating to its conduct
- a) The *Complaints Procedure* is summarized and communicated in the *AESO Code of Conduct* (Code), which must meet the requirements of the *Conflicts of Interest Act*. The Code was approved by the Alberta Ethics Commissioner in 2023 and published on the AESO's website.
 - b) Independent oversight is further ensured through annual reporting of disclosed wrongdoings to the independent AESO Board that is appointed by the Government of Alberta.
 - c) The AESO's conduct is overseen by both the Market Surveillance Administrator (MSA) and the Alberta Utilities Commission (AUC), as set out in the *Electric Utilities Act* (EUA) and the Alberta Utilities Commission Act (AUCA). Section 26(1) of the EUA and section 41(1) of the AUCA allow for any person to make a complaint about the AESO's conduct to either the AUC or the MSA respectively. The MSA also has broad authority to carry out investigations on its own initiative.

The AESO's strong foundation of internal and external oversight ensures that not only our employees, but also the public have clear, effective, and trusted avenues for disclosures. Subjecting the AESO to PIDA could result in confusion for parties considering making a disclosure as well as unnecessary duplication, in whole or in part, of the existing complaint processes of the AESO, the MSA and the AUC. This may add administrative burden and complexity without adding additional value.

The AESO is committed to the principles of PIDA and is confident our current processes support PIDA's objectives in an effective and efficient manner.

Should you have any questions or require any further information please do not hesitate to contact us.

Yours truly,



Gillian Barnett

Vice President, Law, General Counsel and Corporate Secretary

cc: Aaron Engen, President and Chief Executive Officer, AESO