

## 2004/05 Linear Complaint Workshop

The Municipal Government Board (MGB) held its 5th annual linear client group workshop on Wednesday, October 20, 2004 in Red Deer. Previous year's workshops focused on working with clients to identify opportunities to improve and refine the practices and procedures of the MGB for developing more effective linear complaint processes. The goal at this year's workshop was to continue the dialogue with stakeholders to further past developments and set new courses of action. Last year discussions resulted in a new method for dealing with inventory complaints.

In 2004 the MGB experienced a drop in the total number of linear complaints filed (see chart 2). However, the complexity of the complaints increased significantly leading to increased workloads and numbers of hearings, and leading to challenges on limited time and resources for both the MGB and the parties to the complaints.

Twenty-nine representatives attended the workshop from the oil and gas industry, the legal community, tax consultants and the government. Strengths and weaknesses in all aspects of the complaint system were discussed and opportunities were identified for improving current

practices in the linear complaints' process. Round table discussions with each subgroup having representatives from each of the client groups led to numerous suggestions and recommendations.

Suggestions and recommendations included:

- Inventory and complex complaints need to be handled the same.
- There is a need for more communication and education (between parties and MGB) prior to and during the complaint process.
- Problems need to be better defined before submitting a complaint.

- There is a need to address inadequate disclosure levels by the parties.
- Parties expressed concerns of non-compliance to MGB instructions and the impact on timelines.
- There is a lack of party communication and/or party resources.
- Parties having different priorities and/or resources available for addressing issues in dispute.

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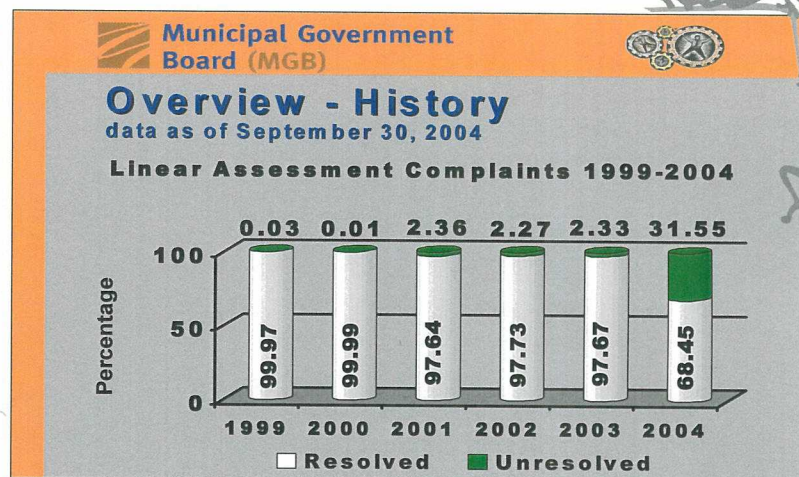


Chart 1 1999-2002: Telus  
2003: Telus, Group Telecom  
2004: Telus, Group Telecom and various other Complainants

## Workshop Questions

### Do municipalities have the same deadline for submitting linear complaints?

Both companies and municipalities have to file linear complaints by the same deadline.

### What is an Intervenor?

An Intervenor is any interested party other than the Complainant or Respondent. An Intervenor is usually an affected municipality.

### Who receives MGB Notices for municipalities?

It is the practice of the MGB to notify the municipal Chief Administrative Officer (CAO) (as set out in Part 6 of the MGA) of all linear complaints and decisions affecting a municipality. The requirement to notify is set out in section 494 of the MGA. The MGB also notifies the CAO of all MGB actions where the municipality requests to participate as an Intervenor in a linear complaint.

### Can I request the MGB to send a notice to someone else and how do I go about it?

By making a written request to the MGB an additional copy can be forwarded to another official in a municipal organization. A request to add other persons has to be renewed for each linear complaint year. According to its practices, the MGB will continue to provide a copy to the CAO even when other officials are notified.

## Suggestions (cont'd)

Suggestions and recommendations (cont'd):

- Parties need to know documentation required before appealing.
- Too many linear complaints.

Issues/Suggestions forwarded to other Ministry groups or authorities:

- Better maintenance of AEUB records to reduce the number of linear complaints.
- Early communication of the new Minister's Guidelines to the parties.
- Need to know why the DLA asked for the information it requested.



Based on the identified issues, the participants suggested solutions. Some of the suggestions are:

- Phone call between parties before filing.
- Timely preparation of the complaint.
- An incentive for early filing or disincentive for filing on or near the deadline.
- Fee for filing linear complaints.
- MGB expand form to include grounds for appeal.
- Space on form to indicate parties are "talking".
- More disclosure on outset.
- Categorizing and hearing complaints by issue.
- Earlier dates and targets for the parties will shorten the timeline.

## Implementation and plans for 2005

- The MGB will not treat complex and inventory complaints differently.
- Changes will be made to the complaint form for parties to indicate they have initiated discussions.
- MGB will contact parties earlier to start discussion on issues.
- The introduction of fees is part of a continuous review.
- Categorize scheduling of complaints by complaint type.
- Request parties file more details with their complaints.
- Parties must make requests for desired legislative changes to the Minister as the MGB does not have authority to make legislative changes.
- Enforce that complaints contain sufficient reasons to be valid complaints.
- Through case management and other initiatives, work with the parties to reduce number of preliminary hearings and to create a better, more effective communication environment.
- Process complaints as they arrive.
- Schedule all complaints to hearings as soon as possible.
- Clarify exchange requirements in MGB instructions.
- A new MGB database system will be available in the next calendar year providing more information to parties on complaints and status of complaints.

## Dates for 2005

- The legislated timeline for hearing linear complaints is 150 days from the day the assessment notice is sent.
- The anticipated mailing date of the assessment notice is **January 31, 2005**.
- The anticipated deadline for submitting 2004 complaints is **March 17, 2005**.

## Contact Information

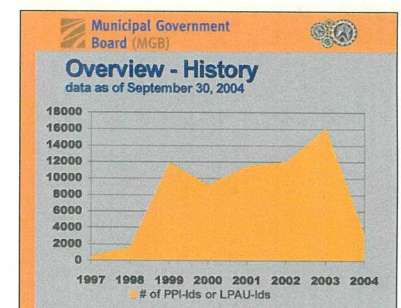
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### EYE ON HISTORY

- Overview of complaint volume in previous years (see chart 2)
- Status of complaints 1999-2004 (see chart 1)
- In 2004 about 70% of the complaints were complex in nature.
- In 2004 almost 3,300 linear complaints were filed by 153 Complainants.
- About 80% of the linear complaints were filed in the last 2 business days.
- The majority of complaints (69%) continues to be filed by tax consultants.
- The linear complaint form can now be used for all types of linear complaints (PL, WL, EPG, ELE, CBL, TEL, GDP).
- Most hearings will be concluded by the end of 2004; three have been scheduled for 2005.

Chart 2



## THANK YOU!

The MGB wishes to thank all parties for their attendance and constructive input.

