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Our File No.: 71234.0349/BAD

November 7, 2025

VIA ELECTRONIC FILING

Alberta Utilities Commission
Eau Claire Tower
1400, 600 – 3 Ave SW
Calgary, AB T2P 0G5

Attention: Jamie Graham and Caitlin Graham, Commission Counsel

Dear Counsel:

**Re: TransAlta Corp.
Flipi Gas-Fired Generation Project
Alberta Utilities Commission Proceeding 29810
TransAlta Agreed-to Commitments**

We represent Clearwater County (the “**Municipality**”). The Municipality and TransAlta have been engaged in discussions relating to this Project. As a consequence, TransAlta has agreed to the following commitments, which are binding on TransAlta whether or not the commitment is made a condition of approval.¹ Legal counsel for TransAlta, Gavin Fitch, has signed off on the commitments (see below).

The commitments have been drafted to allow the AUC to make specific directions on certain issues, while ensuring the Municipality still retains jurisdiction, as prescribed. This addresses any concerns about the impact of section 619 of the *Municipal Government Act*.

As well, the Municipality’s preference is that the AUC entirely defers the issue of hauling routes and road use to the Municipality despite it being an issue raised by landowners in these proceedings. As noted by the AUC in Decision 27842-D01-2024, “... Roads are an issue that, under the *Municipal Government Act*, falls directly under the control of municipalities and the County is better placed to delve into the details of road use...”.

¹ Decision 27240-D01-2023 at para 17.

Given the commitments, the Municipality will not be participating in these proceedings any further.

TRANSALTA'S COMMITMENTS TO CLEARWATER COUNTY:

1. Traffic Impact Assessment:

TransAlta shall provide the Municipality a Traffic Impact Assessment for both the construction and maintenance phases of the project as part of the development permit application.

2. Road Use and Development Agreements:

Subject to any specific directions made by the AUC in Proceeding 29810 relating to municipal road construction or upgrades, road hauling, or road maintenance, including the possible elimination of proposed routes, the matter of entering into and abiding by Road Use Permits and a Development Agreement to the Municipality's satisfaction and approval will be addressed by the Municipality at the development permit stage.

3. Emergency Response:

Notwithstanding any finding of the AUC that TransAlta's Emergency Response Plan ("**ERP**") complies with Rule 007 or is otherwise acceptable, TransAlta commits to design, provide (to the Municipality's satisfaction and approval), and abide by a final ERP. The final ERP will be addressed as a condition of approval at the development permit stage. The Emergency Response Plan shall address the following to the Municipality's satisfaction:

- a) Access for emergency vehicles onto and within the site;
- b) Controlled burning requirements (in keeping with the existing Municipality Burn Notification Process);
- c) Road use that may impact emergency response.

4. Screening/Fencing:

Subject to any specific directions made by the AUC, the matter of requiring screening / fencing of the project site to the Municipality's satisfaction and approval will be addressed by the Municipality at the

development permit stage and, if required, the development agreement stage.

5. Communication of Municipal Requirements:

TransAlta shall ensure that all personnel working on the Project are aware of the requirements of the municipal development permits. TransAlta shall ensure that third party vendors are made aware, by contract, of all these requirements prior to working on the Project.

COMMITMENTS APPROVED AND CONFIRMED BY THE COUNTY AND TRANSALTA:

BROWNLEE LLP

Per: <Original signed by>

MCLENNAN ROSS

Per: 
<Original signed by>

BRENDAN A. DZIOBA
Legal Counsel for Clearwater County

GAVIN FITCH
Legal Counsel for TransAlta