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### Introduction

The Alberta Energy Regulator (AER) understands that regulatory decisions about how energy resources are developed affect individuals, communities, businesses, and organizations. Energy resources have been developed in Alberta for a long time, but the world is changing and it is essential that the regulator change with it because we are part of a broader community.

There are three broad trends that particularly impact the regulator. First, social and value changes mean that Albertans are less inclined to trust institutions, more skeptical about the ability of the regulator to make unbiased decisions, and less likely to defer to authority. Stakeholders today are more educated, engaged, and aware than ever before, and we must work more closely with them over the entire life cycle of energy development if we want to be considered credible and trustworthy. Second, there are policy gaps in our current system, and governments, at all levels, have so far been unable to effectively address issues that matter to Albertans, such as climate change, indigenous reconciliation, and cumulative effects management. This creates for stakeholders confusion and frustration about how to access and influence the development decision-making process for their communities, and it requires the regulator to navigate a complex policy context. And third, rapid technological development and frequent changes in market conditions challenge the regulator’s ability to balance economic, environmental, and safety conditions.

While these issues can seem overwhelming, we know that the solution is to continuously engage with our community, build relationships with our stakeholders, and understand stakeholder values and interests so that we can work together to protect the things that matter to Albertans.

Our vision is to be recognized for regulatory excellence, and strong partnerships and relationships with our stakeholders are essential to achieving that vision.

Our goal is for stakeholders to have the opportunity to engage with us at all stages of the energy development process. We want to understand the concerns, values, and interests of stakeholders and collaboratively develop solutions to mitigate any harm to those values and interests so that there is trust and confidence in how energy is developed in Alberta. We recognize that in order to achieve this, the Alberta Energy Regulator must be respectful, trustworthy, transparent, and open to change.

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The stakeholder engagement framework will help achieve the AER’s vision by providing a common framework that AER staff and stakeholders can refer to as a high standard for engagement. The framework outlines the principles for engagement and the AER’s strategy for how to engage stakeholders in a changing regulatory environment.

This framework is designed to complement existing regulatory requirements for engagement and consultation found in AER directives, rules, and bulletins.

**Stakeholder Engagement and Regulatory Excellence**

From the time the AER was created, our vision was to achieve excellence and to improve Alberta’s regulatory system. To achieve this, we first set out to define regulatory excellence, and in November 2014 commissioned experts at the University of Pennsylvania’s Program on Regulation (PPR) to identify the key attributes of an excellent regulator, understand how the AER could adopt those attributes, and measure our progress.

The Penn Program on Regulation team reviewed existing academic literature, commissioned papers from leading experts from around the world on the question of what makes a regulator excellent, convened four major dialogue sessions, and conducted interviews. All of this work culminated in a final convener’s report that offers high-level principles to the field of regulatory management and practice.

The report identified three core attributes of an excellent regulator—empathic engagement, utmost integrity, and stellar competence—and presented a model of regulatory organization, action, and performance.

Building on the information gathered from the research, we continued the conversation with Albertans, indigenous peoples, stakeholders, and AER employees to test our own understanding and to develop a made-in-Alberta version of this framework for regulatory excellence.

We asked our stakeholders for honest feedback on how we were performing against the excellence framework and where we could improve.

Overall, Albertans support the goal of regulatory excellence but they still see many areas for improvement. In particular, they demonstrated the relevance of social and value changes by saying that the AER could

- be more open and transparent;
- better explain how decisions are made and the reasons for decisions;
• improve our relationships with Albertans, indigenous peoples, and stakeholders;
• clarify our internal processes and priorities, including employee roles and responsibilities; and
• ensure that our employees have the skills and tools they need to carry out their responsibilities.

Stakeholders made it clear that the AER must be able to demonstrate how it will embody these attributes in the daily work of the regulator. They also said that performance must be measured, continuous improvement will be required, and delivering on outcomes will be essential to achieving this model.

Based on feedback from our stakeholders, the AER interprets the attributes of regulatory excellence in the following ways:

• Empathic engagement means working together so that we can make fully informed decisions and build strong relationships. We are straightforward about the issues, listen carefully, respond respectfully, and ensure our decisions are understood. We know that to build and maintain relationships, we must be fair, inclusive, and transparent.

• Utmost integrity means that we are accountable as a protective, effective, efficient, and credible energy regulator that is fair and unbiased. The AER adheres to Alberta government policy and takes a leadership role in identifying policy gaps where they exist. We make evidence-based decisions that consider the environment, the unique nature of energy development, traditional knowledge, and information brought forward by local communities.

• Stellar competence means our people have the required expertise and the necessary tools to carry out their responsibilities, which underpins the AER’s ability to achieve its outcomes while adapting to new risks and opportunities. We will seek expertise and information outside of our organization to make well-informed decisions. In this way, we are able to deliver better outcomes, measure and report on our performance, and continuously improve.

**Applying the Regulatory Excellence Model**

One of the ways the AER is applying the regulatory excellence model is by moving toward a risk-based, full life cycle approach to energy development. This allows the AER to take into account cumulative impacts of development, make regulatory decisions more holistically, and focus regulatory attention on the most serious issues.
These changes enhance the protection of the environment, improve safety, and increase efficiency, but they also place greater demands on our stakeholders.

Stakeholders are being asked to consider a broader range of development issues, evaluate more complex data sets, develop an understanding of new technology, and be flexible with regulatory change timelines and processes.

Understanding the demands being put on our stakeholders, as well as the need for enhanced stakeholder engagement, the AER has taken a number of steps to embody empathic engagement, including the following:

- Adopting a principle-based approach to stakeholder engagement—by adopting the principles outlined in this framework, the AER is committing to a high standard of stakeholder engagement that will apply to all AER employees.

- Determining engagement approaches based on risk assessments—by understanding the values and interests of our stakeholders, the AER is better able to understand how AER actions could potentially threaten those values and interests. Those stakeholder groups whose interests and values have a high potential of being threatened by AER actions or decisions are considered to be at high risk. Those groups whose values and interests are minimally threatened are considered to be at low risk. It is important to note that it is the stakeholders’ risk that is being assessed, not the AER’s. This risk-based approach allows the AER to focus engagement efforts on higher-risk stakeholders and to work more collaboratively with those stakeholder groups that have the most at stake.

- Soliciting engagement feedback from our stakeholders—because of the importance of understanding our stakeholders and their values and interests, the AER has created a stakeholder committee that advises us on our stakeholder engagement approaches. This committee, composed of representatives from various stakeholder groups, provides feedback and recommendations on engagement plans and approaches to ensure that they are as inclusive, comprehensive, and empathic as possible.

- Being flexible and open to new engagement approaches—recognizing the need for enhanced stakeholder engagement, the AER is actively learning about new and innovative engagement approaches and is working to be more flexible with engagement approaches at the corporate and community levels.

This is our understanding of what it means to engage empathically, but we recognize that engagement is not something we can do alone and we will continuously work with our stakeholders to refine and improve our efforts in this area. Regulatory
excellence is a journey, not a destination. There will never be a point at which we can say that our engagement efforts are perfect, but we can commit to continuously improving, learning from the past, and building stronger relationships with our stakeholders.

About the AER
The AER is the single provincial regulator for oil, natural gas, oil sands, and coal development in Alberta. The AER ensures the safe, efficient, orderly, and environmentally responsible development of hydrocarbon resources over their entire life cycle. This includes allocating and conserving water resources, managing public lands, and protecting the environment while providing economic benefits for all Albertans.

Our Responsibilities
The AER regulates one of the largest hydrocarbon resources in the world and is authorized to make decisions on applications for energy development, monitoring for compliance assurance, decommissioning of developments, and all other aspects of the energy resource life cycle. To ensure that this activity is safe, environmentally responsible, and closely managed, the Government of Alberta has granted the AER authority to

- review and make decisions on proposed energy developments;
- oversee all aspects of energy resource activities in accordance with government policies;
- regularly inspect energy activities to ensure that all applicable requirements are met;
- take enforcement action to respond to companies that fail to comply with AER requirements; and
- hold hearings on proposed energy developments.

Supporting all of this work are close to 1200 technical staff, scientists, inspectors, investigators, stakeholder engagement specialists, lawyers, regulatory experts, and other employees working from locations across Alberta.

Where We Fit
The AER is an independent entity that is fully funded by levies from the energy industry. The AER works closely with the Government of Alberta as part
of the integrated resource management system (IRMS) to assure alignment of policy development and policy assurance. Government of Alberta departments and agencies are not considered “stakeholders,” but key partners in the IRMS model.

Partners in the IRMS include

- Government of Alberta departments, which set policy;
- the Alberta Energy Regulator, which implements policy;
- the Aboriginal Consultation Office, which manages indigenous consultation on behalf of the Government of Alberta; and
- the Policy Management Office, which is the key interface between government and the AER on policy issues related to energy development.

Our Strategy

To fulfill our mandate and achieve our vision to be recognized for regulatory excellence, the AER has committed to four strategic priorities:

- Protective—develop an integrated, whole-system regulatory approach to safety, environmental protection, and risk management
- Effective—strengthen risk-based regulation
- Efficient—transform Alberta’s regulatory system to improve efficiency
- Credible—increase trust and confidence in how energy is developed in Alberta

We know that regulating a world-class energy resource is a significant responsibility. The first priority of our strategic plan is to be protective. We will protect public safety and the environment. To be effective, we will ensure that regulations are designed so that risk is reduced and economic benefits are maximized. Being efficient means reducing duplication and costs and increasing understanding of how the AER acts for the benefit of landowners and residents, industry, indigenous groups, and the public. Finally, we will work to be credible to our stakeholders, all Albertans, and the world at large by being transparent, collaborative, committed to meaningful engagement, and open to new ways of doing business.

**Purpose of the Stakeholder Engagement Framework**

The AER’s goal is to engage and build relationships with stakeholders through structured dialogue and with a focus on outcomes. This framework supports that goal by outlining the scope of our engagement activities, with whom we will engage, the kinds of issues upon which we will engage, and what empathic engagement involves.
Supporting this are the principles of engagement that AER staff will adhere to when planning and carrying out engagement activities.

This framework also sets out the different levels of engagement and some of the tools and strategies that can be employed, recognizing that tools and strategies must be tailored to suit the decisions, activities, and processes that are being discussed.

The framework will be used by AER staff to plan engagement activities. It may also be used by external stakeholders as a standard of what they should expect when engaging with the AER.

What Is Stakeholder Engagement?

Stakeholder engagement is an activity that generates relationships and information. Practically, stakeholder engagement can include everything from the public posting of information on a website to phone calls, community meetings, information sheets, working groups, surveys, topic-specific dialogues, and more. In other words, every interaction, every day, between the AER and stakeholders can be considered stakeholder engagement. The objective of all stakeholder engagement is to create and maintain strong relationships and open lines of communication.

The AER has teams and divisions dedicated to engagement. Industry Relations is focused primarily on engagement with industry. The Stakeholder and Government Engagement Division employs experts in the fields of alternative dispute resolution, community engagement, indigenous engagement, engagement planning, national and international engagement, communications, and government relations. While these teams and divisions are dedicated to stakeholder engagement, interaction with stakeholders is not limited to these staff. All AER employees are responsible for stakeholder engagement.

Most energy applications submitted to the AER meet stakeholder consultation requirements; however, a small number have outstanding concerns. In these situations, the Responsible Energy Development Act enables the AER to use alternative dispute resolution (ADR). Alternative dispute resolution is an interest-based approach for resolving disputes that attempts to ensure common understanding of the facts and examination of different options with the goal of establishing mutually agreed upon solutions. The stakeholder engagement ADR program supports the full life cycle of energy development. ADR specialists work with industry and landowners at the outset by helping resolve disputes before and during an application, throughout the operational phases, and into the reclamation stages of a project. At all stages, alternative dispute resolution improves stakeholder relationships, encourages
local solutions to local problems, and ensures that time and resources are used efficiently. Alternative dispute resolution is a specialized and important aspect of stakeholder engagement at the AER.

Why Engage Stakeholders?

Improving the relationships between the AER and its stakeholders has many strategic advantages, but it is also an objective in its own right. Stronger stakeholder relationships result in more transparent, cooperative, and productive conversations, which, in turn, build a foundation of trust that enables the relationships to withstand the inevitable issues that arise and allow stakeholders to be brought into the decision-making process earlier. Establishing and sustaining stronger stakeholder relationships creates a positive cycle for both the AER and stakeholders. Effective engagement improves regulatory decision making and makes the AER a better organization, which benefits all Albertans. Quality stakeholder engagement can

- lead to more sustainable energy development;
- bring diverse perspectives together and encourage collaborative problem solving;
- increase efficiency;
- enable informed decision making;
- reduce environmental and social risk;
- help the AER learn from stakeholders, resulting in process and system improvements;
- inform, educate, and influence stakeholders to consider the full spectrum of energy development issues; and
- contribute to the development of trust-based and transparent stakeholder relationships.

In other words, engaging stakeholders effectively creates shared values and enables the AER to fulfill its mandate and vision to be recognized for regulatory excellence. This will ensure that Albertans are protected from environmental risks, receive the economic benefits of energy development in the province, and have common social values.
Scope of the Framework

Who Are Our Stakeholders?

The AER has many stakeholders, with varying degrees of investment in the regulatory process. A stakeholder is any person or group that has an interest in regulatory decisions or that could potentially be affected by their outcomes. The type of engagement that is appropriate depends on who the stakeholders are, where they are located, and the purpose of engagement.

When planning stakeholder engagement initiatives, the AER identifies the stakeholders to be involved based on the potential impact to the interests and values of stakeholders. The AER employs a number of different tools, including stakeholder mapping, stakeholder risk assessments, and engagement planning, to determine these criteria.

Most AER stakeholders are inside Alberta because they are most directly affected by the decisions and actions of the regulator, but many national and international stakeholders also have considerable influence and interest in the decisions and actions of the AER.

AER stakeholders include the following:

- **Educational institutions**—local, provincial, national, and international organizations with an interest and expertise in energy development and energy regulation
- **Environmental nongovernment organizations**—small, mid-size, and large environmental nongovernment organizations
- **Government**—municipalities and local governments as well as the Government of Canada and international governments
- **Landowners and residents**—individuals and families that live on or near land that is to be developed
- **Media**—outlets for community, city, provincial, national, and international news that is distributed through paper, radio, television, and the internet
- **Peer regulators**—other regulators in Canada, North America, and around the world with similar responsibilities for energy regulation
- **Public**—community associations, small and large businesses, interest groups, recreational groups, and the general public
• **Standards groups and associations**—organizations that develop and set industry standards and codes of best practices

• **Supranational organizations**—organizations such as the Organization for Economic Cooperation and Development (OECD), the World Bank, the United Nations (UN), the Organization of Petroleum Exporting Countries (OPEC), and others that have an interest in energy issues and that have the ability to influence energy decisions

• **Thought leaders**—individuals, think tanks, and nongovernmental organizations with interest and influence in the field of energy regulation

The AER engages with three groups that are either not identified as a stakeholder\(^2\) or that have a unique relationship:

• **Indigenous peoples**—First Nations and Metis who live in, and have traditional territory in, Alberta are not considered stakeholders but are considered a unique form of government with constitutionally protected rights. The AER engages with indigenous peoples consistently and works closely with the Government of Alberta (which has a duty to consult) to ensure that indigenous interests are considered in regulatory decisions.

• **The Government of Alberta** is considered a working partner rather than a stakeholder. The Government of Alberta is responsible for all policy development, whereas the AER is responsible for regulatory delivery. Given the interconnectedness of these mandates, the AER works closely with the Government of Alberta, and all other partners in the energy management system, to ensure that decisions about energy regulation are consistent.

• **Industry**—this is the only stakeholder group that is directly regulated by the AER. This means that industry is the only group responsible for complying with AER rules and directives and the only group that faces enforcement consequences if it fails to do so. As such, the AER works closely with industry, through a dedicated industry relations team, to adapt to shifting circumstances that can affect the AER’s ability to meet its mandate while maintaining control over the regulatory governance of the industry.

\(^2\) The umbrella term “stakeholder” is used throughout this document for the sake of simplicity but is considered to include indigenous peoples and government partners.
What Activities Does This Framework Cover?
This framework covers a wide range of activities, including

- sharing of information that is designed to educate and to communicate information about the regulator and the regulatory process;
- engagement around regulatory issues, such as the development of AER guidelines, directives, pilot projects, and regulatory reviews;
- engagement around energy development issues and decisions that have potential stakeholder impacts, such as environmental impacts, noise, and location of infrastructure;
- reactive engagement around regulatory decisions and incidents;
engagement on strategic issues, such as the AER’s strategic and corporate priorities and changes to processes and policies that affect stakeholders; and

- engagement on transformation initiatives at the AER.

This framework does not cover engagement on issues that are outside of the AER’s mandate. This includes policy issues that are the responsibility of the governments of Alberta and Canada, and it includes issues managed by other regulatory agencies.

**Engagement Principles**

The following internationally adopted principles\(^3\) are aligned with the AER’s goal of providing empathic engagement to stakeholders and provide AER staff with a guide for engaging stakeholders.

**Careful Planning and Preparation**

Through adequate and inclusive planning, we will ensure that the design, organization, and convening of the engagement process serves a clearly defined purpose and appropriately meets the needs of the participants, including the AER.

We will do this by

- using language that is appropriate for the target audience and providing summaries of key issues and of the impacts of decisions;
- engaging stakeholders as early in the process as possible;
- establishing clear and realistic timeframes and expectations for stakeholder input by setting the parameters and objectives of engagement at the beginning of the process;
- enabling stakeholders to access relevant information;
- clearly communicating the decision-making process;
- ensuring that stakeholders are engaged with the appropriate AER representatives; and
- focusing primarily on issues that require action.

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Inclusion and Demographic Diversity
We will equitably incorporate a diverse selection of people, voices, ideas, and information to lay the groundwork for quality outcomes.

We will do this by

- identifying stakeholders that may be interested in, or affected by, the issue, and identifying the most effective way to engage with those stakeholders;
- encouraging stakeholders who are interested in, or affected by, the issue to engage with the AER;
- identifying and, to the extent possible, understanding the interests and concerns of stakeholders; and
- recognizing that all stakeholders need enough time and resources to effectively engage. This includes
  - allowing enough time for stakeholders to provide submissions and comments;
  - accepting submissions through verbal, electronic, and less formal means; and
  - where appropriate, helping stakeholders to engage with us. This may include holding forums to increase knowledge, and covering incurred expenses.

Cooperation and Shared Purpose
We will support and encourage participants, government, community institutions, and others to work together to advance the common good.

We will do this by

- seeking stakeholder views as early in the process as possible;
- allowing stakeholders to voice concerns confidentially, if requested;
- encouraging open dialogue and communication by asking open-ended questions and encouraging all stakeholders to share challenges and opportunities around the issue from their perspectives;
- maintaining engagement from the planning phase through to the review and closure stages of the process, activity, or program; and
- updating stakeholders on the progress of specific questions raised through engagement using a range of communication methods.
Openness and Learning

We will help all involved to listen to each other, explore new ideas unconstrained by predetermined outcomes, apply information in ways that generate new options, and rigorously evaluate stakeholder engagement activities for effectiveness.

We will do this by

- providing opportunities for stakeholders to ask questions, to seek clarification of information provided, and to describe their own experiences and contribute information;
- ensuring that stakeholders have the opportunity to be involved and heard in the process;
- openly reporting the input from stakeholders;
- reporting back to stakeholders on how their input was considered; and
- proactively seeking feedback from those who participated in our engagement activities to learn how the activities could be improved.

Transparency and Trust

We will be clear and open about the process and will provide a public record of the organizers, participants (where acceptable), outcomes, and range of views and ideas expressed.

We will do this by

- clearly communicating to stakeholders our objectives, the purpose of the engagement, and what level of engagement we are undertaking;
- clearly communicating the decision-making process;
- openly reporting the input from our stakeholders; and
- reporting back to stakeholders on how their input was considered.

Impact and Action

We will ensure that each participatory effort has the potential to make a difference, and that participants are aware of that potential.

We will do this by

- planning each engagement opportunity so that the appropriate stakeholders are involved and there is a clear consensus on what the issues are;
ensuring that engagement is meaningful and not a public-relations exercise;

clearly communicating the decision-making process and the potential impact of the engagement; and

providing feedback to stakeholders about their input, including how it was considered and the influence it had on the outcome of the decision or process.

Sustained Engagement and Participatory Culture

We will promote an internal culture of participation and encourage external commitment to best practices that support ongoing, quality stakeholder engagement.

We will do this by

continuing to raise awareness within the AER of the need and the value of stakeholder engagement;

developing clear stakeholder engagement reporting tools so that AER staff and leadership are aware of stakeholder concerns and are committed to finding appropriate solutions; and

encouraging AER staff and external stakeholders to exemplify the principles outlined in the stakeholder engagement framework.

Stakeholder Engagement Considerations / Spectrum

Different levels of stakeholder engagement are appropriate, depending on the objectives, desired outcomes, timeframes, resources, and levels of interest. The stakeholder engagement spectrum (see figure 2 below) provides a guideline for how stakeholders will be engaged based on the impact on or risk to the stakeholder and their level of interest in a particular issue or decision. Each column of the spectrum has a specific goal as well as a promise to stakeholders. The level of engagement used by the AER will be determined through consultation with stakeholders, the issue being considered, the risk to stakeholders, and what we are trying to achieve.

While the goal of stakeholder engagement is to build relationships and to collaborate with stakeholders as much as possible, it is not always practical for our engagement efforts to occur at the collaborate level. This is due to stakeholder capacity and resources as well as the AER’s legislated mandate as the regulatory decision maker. The AER relies on several engagement planning tools and processes, including stakeholder consultation and stakeholder risk assessments, to determine the most appropriate level of engagement.
Ideally, risk assessments allow the AER to determine the level of engagement that is necessary for affected stakeholders. For stakeholders whose perceived level of risk is high, the AER would use collaboration to identify and verify problems, develop alternative solutions or mitigations, and evaluate the process and outcomes of engagement. For stakeholders with a moderate level of perceived risk, involving them is appropriate, and for low-risk stakeholders, engagement at the inform level is sufficient.

Included in figure 2 are examples (as icons) of engagement tools that can be used at each level of the spectrum. These are not exhaustive but indicate the kinds of techniques we may use, depending on the issue and objectives.

(Adapted from the International Association for Public Participation’s public participation spectrum and AA1000 Stakeholder Engagement Standard, Accountability, 2008, and the Australian Energy Regulator.)

**Figure 2. Stakeholder Engagement Spectrum**

**From Principles to Action**

To ensure that these principles are implemented, all engagement should follow four basic phases: engagement planning, action, reporting, and reviewing and improving.

1) Planning—Planning is essential for effective stakeholder engagement. During the planning phase, it is important to identify what the overall objectives of engagement are, which stakeholders need to be engaged, the timeline for engagement, what level of engagement is most appropriate to achieve the objectives, and what resources are required to achieve success.

2) Action—Carry out planned activities.

3) Reporting—Reporting on stakeholder concerns and comments (both internally and externally) is important for effective stakeholder engagement. Through this
process, stakeholder concerns are better understood and acted upon. Reporting can be done both formally through reports and informally through regular updates and meetings.

4) Review and improve—Strive to continuously improve stakeholder engagement processes and outcomes by evaluating what was successful and what could be improved. This can be determined through feedback from stakeholders and through other performance indicators. The lessons learned should be incorporated into subsequent engagement plans.

![Stakeholder Engagement Actions](image)

**Figure 3: Stakeholder Engagement Actions**

**Reviewing this Framework**

Alberta is home to one of the largest hydrocarbon resources in the world, and the AER is committed to working with its stakeholders to ensure that the maximum possible benefits can be accrued from those resources while also ensuring that public and environmental safety is protected. This balance can only be found with the involvement of stakeholders. For this reason, stakeholder engagement is a critical component of the AER’s work, and we are committed to improving the effectiveness of our engagement with stakeholders over time.

A key component of this improvement will be evaluating our performance under this framework and amending and adding to this document as needed.

Informal monitoring of the effectiveness of this framework will be ongoing and will be based on feedback from internal staff, resource management partners, and all AER stakeholders. Formal opportunities to consider how this framework is operating in practice will be provided by the evaluation and review stage of each engagement.
process. These practical experiences will result in suggested changes and amendments to the framework.

We will clearly communicate and share with stakeholders any updates or amendments to this framework as well as the reasons for the changes.

**Reference Material**

This framework builds on material and international best practices in stakeholder engagement from the following:


- The International Association for Public Participation, the pre-eminent international organization advancing the practice of public participation. Information about this organization can be found at [www.iap2.org](http://www.iap2.org).


- The National Coalition for Dialogue & Deliberation, available at [http://ncdd.org](http://ncdd.org)

- The Co-Intelligence Institute, available at [www.co-intelligence.org](http://www.co-intelligence.org)

