

“WHAT WORKS?” IDENTIFYING AND SCALING UP SUCCESSFUL INNOVATIONS IN CANADIAN ENERGY REGULATORY DECISION-MAKING: ONLINE SURVEY

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Study in Brief

This In Brief details survey findings from a collaborative research and engagement project between Positive Energy and Canada's Energy and Utility Regulators (CAMPUT). Participants included representatives from regulators, utilities, environmental and other non-government organizations, large and small customers, policymaking authorities, Indigenous organizations, law firms and academia. The project aims to identify innovative approaches and success factors in energy regulatory decision-making in an age of climate change for two areas:

1. Formal two-way interaction between policymakers and regulators, focusing on mechanisms to strengthen policy and regulation while maintaining regulatory independence.
2. Public engagement processes undertaken by regulators, including collaborative mechanisms that help to ensure diversity in information and viewpoints considered in decision-making processes and oversight.

The online survey was designed, programmed and analyzed by Positive Energy. CAMPUT administered the survey to 160 people from June 8-23, 2020. Fifty respondents completed the survey. Complete results are available on [the Positive Energy's website](#).

Key Findings

The survey results find broad agreement among respondents on the need for innovation in regulatory decision-making, both for policymaker-regulator interactions and for regulators' public engagement practices. Participants from across Canada cited three key factors driving the need for innovation:

1. Evolving social and environmental goals
2. With respect to policymaker-regulator interactions, the lack of shared understanding of respective roles and responsibilities
3. With respect to regulators' public engagement practices, the need to address public trust and understanding in energy decision-making

IN BRIEF

Relevance for Decision-Makers

The survey identifies key factors driving innovation in regulatory practices. This is pivotal information for those designing innovations to ensure that they are 'solving for' the correct problem. In addition, the research highlights emerging practices for those looking to identify and scale up innovations in policy-regulatory relations and public consultations.

Respondents identified several common tools used in policymaker-regulator interactions, though not all of them are innovative: cross-sectoral industry briefings and forums; ad hoc review and assessments of legislative and project proposals; open, transparent hearings; use of ministerial directives or MOUs; active adjudication workshops; events focused on specific proposals; and single-window institutional design of regulatory agencies. Innovations to improve public engagement include: examples of successful Indigenous engagement; outreach and engagement pre-hearing for potentially affected communities; regulatory sandbox initiatives; enhanced websites; intervenor funding; engagement in regulatory development; and engagement of communities by bodies other than regulators.

Next Steps for Positive Energy

The next phase of this research project involves case studies to identify key success factors, along with roadmap and benchmarking tools to scale up successful innovations. The cases will investigate innovations in policy-regulatory relations drawing on examples across Canada, and regulators' public engagement practices for distributed energy resources that could be applied to other topic areas.

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