

ISO Tariff – Section 1

Applicability and Interpretation of ISO Tariff

Applicability

- 1(1)** A **market participant** who applies for or accepts **system access service** from the **ISO** agrees to be bound by the **ISO tariff**.
- (2)** Both the **ISO** and **market participants** are bound by and have the rights and obligations defined in the **ISO tariff** with respect to **system access service** the **ISO** provides, including rates, riders, terms and conditions and appendices.
- (3)** The **ISO tariff** becomes effective as of the date provided in the revision history of each rate, rider, section, or appendix and only when approved by the **Commission** and each rate, rider, section, or appendix of the **ISO tariff** remains in effect until the **Commission** approves its replacement or amendment.

Conflict

- 2(1)** The **ISO** has certain powers, duties and responsibilities as described in the **Act** and nothing in the **ISO tariff** in any way restricts or limits those powers, duties and responsibilities.
- (2)** In the event of any conflict between the terms and conditions of the **ISO tariff** and the rates, riders or appendices of the **ISO tariff**, the terms and conditions govern.
- (3)** In the event of any conflict between the **ISO tariff** and a section of an agreement for **system access service**, the **ISO tariff** governs the specific section in conflict without affecting or impairing the remaining sections of the agreement for **system access service**.

Interpretation

- 3** In the **ISO tariff**:
- (a) tables of contents, section headers and the use of underlining and italicizing are not a part of the **ISO tariff** but are inserted for convenience of reference only;
 - (b) words in the singular include the plural and words in the plural include the singular;
 - (c) words importing male **persons** include female **persons**, words importing female **persons** include male **persons** and words importing either sex include corporations;
 - (d) the provisions of the **ISO tariff** will be construed as always speaking and will be applied to circumstances as they arise;
 - (e) the use of the word “including” is not to be construed as being restrictive;
 - (f) “may” is to be construed as permissive and empowering and “must”, “shall” and “will” are to be construed as imperative;
 - (g) all references to a time of **day** in the **ISO tariff** mean mountain standard or mountain daylight time in the Province of Alberta, whichever is in effect on the **day** in question;
 - (h) words and phrases in bold type have the meanings given to them in the definitions found in the *Consolidated Authoritative Documents Glossary*; and

- (i) titles of documents are in italics.

Jurisdiction

4(1) The **ISO** and **market participants** must address any dispute concerning the application, interpretation or enforceability of the **ISO tariff** in accordance with section 103.2 of the **ISO rules**, *Dispute Resolution*.

(2) Any such dispute is within the exclusive jurisdiction of the **Commission** or Courts of the Province of Alberta, as applicable, and any related legal proceedings must be commenced, heard and adjudicated within the applicable Alberta forum.

Revision History

Effective	Description
2015-07-01	Updated subsections, as approved in Commission Decision 3473-D01-2015 issued on June 17, 2015.
2011-07-01	Revised and reformatted all subsections, as approved in Commission Decision 2011-275 issued on June 24, 2011.