



September 2, 2015

Notice re: Employment Opportunity

Position: Legal Counsel / Senior Legal Counsel
Market Surveillance Administrator (MSA)

Location: Calgary, Alberta

Start Date: Immediate

About the MSA

The MSA is an independent agency with a broad mandate including surveillance, investigation and enforcement to help ensure the fair, efficient and openly competitive operation of the wholesale electricity market and the retail electricity and natural gas markets in Alberta.

The powers and authority of the MSA are set out under the *Electric Utilities Act*, the *Alberta Utilities Commission Act* and related regulations. The work of the agency is done by a small group of highly trained analysts, economists, legal and administrative staff. The Administrator leads the MSA and is appointed for a fixed term by the Minister of Energy. The relationship between the MSA and the Minister and Department of Energy is described in the Mandate and Roles Document pursuant to the *Alberta Public Agencies Governance Act* that is available on the MSA's website.

The MSA is a "public body" pursuant to the *Freedom of Information and Protection Act*.

Life at the MSA is busy, the issues challenging and the approach collaborative. The range of legal work is both inward and outward facing. Because of the MSA's status as a standalone corporation, legal counsel plays a key role in respect of corporate governance, compliance with relevant laws and regulations, contractual and employment matters. Looking outward, legal advice is sought on the application of the *Fair, Efficient and Open Competition Regulation* to market participant behaviour, the promotion of compliance with Alberta's market rules and electric reliability standards, enforcement guideline making, and investigations that may lead to enforcement action before the Alberta Utilities Commission.

The Position

The MSA is looking for either a Legal Counsel or a Senior Legal Counsel. Either position would report directly to the Administrator.

The Right Person

The ideal candidate would come with strong skills, knowledge and experience in: (i) economic regulatory process and procedure; (ii) the energy sector; (iii) the relevant legal framework in Alberta and Canada; and (iv) corporate operations, administration and governance. The senior counsel would have more experience practicing law, well-honed judgment and the ability to independently represent the MSA on important files. Experience in the electricity industry and the regulatory environment in Alberta would be a distinct advantage.

You must have strong analytical and writing skills. You must be able to work effectively with your colleagues, including MSA staff, external counsel and outside experts, toward timely completion of files. Also critical is the ability to engage on a constructive basis with market participants, government, industry agencies within Alberta and in other jurisdictions, and other stakeholders. Key competencies include problem solving, communications, teamwork and collaboration. The MSA is a small agency which means you will be fully integrated in the work space and expected to perform a variety of tasks.

We believe a minimum of 5-10 years of relevant legal experience is necessary for these positions. You must also be a member in good standing of the Law Society of Alberta and able to meet high level security clearance requirements.

Main Responsibilities

As Legal Counsel or Senior Legal Counsel, your duties will include the following:

- Maintain corporate by-laws up to date and draft corporate resolutions as required
- Draft and review external legal agreements, including consulting services agreements
- Draft, review and revise corporate policies and procedures
- Provide leadership and training to MSA staff on corporate policies and procedures and other relevant legal matters

- Provide timely and practical legal advice on corporate matters that arise such as, staff relations, privacy and access to information laws, record keeping, compliance with Canada Revenue Agency requirements
- Provide timely and practical legal advice to ensure the MSA's compliance with applicable laws, regulations and government policies
- Provide timely and practical legal advice that MSA procedures and controls support fair and responsible investigative and enforcement activities
- Conduct research and provide timely and practical legal advice relevant to the MSA mandate, investigations and other activities where a legal perspective is important
- Draft submissions to the Alberta Utilities Commission and review submissions drafted by MSA staff
- Liaise with other legal counsel in the sector, as required, including at the Government of Alberta, Alberta Utilities Commission, other Alberta agencies and market participants
- Provide advice and assistance with respect to the interpretation of relevant legislation, rules and reliability standards
- Retain and instruct outside counsel as applicable
- Track legislative initiatives, court proceedings and tribunal proceedings relevant to the mandate of the MSA

Remuneration and Benefits

The MSA seeks to compensate its employees in a manner commensurate with their training and experience, and comparable to similar employers in Alberta.

In addition to their salary, MSA employees are eligible for a comprehensive medical/dental benefits package, as well as matching contributions to a registered retirement savings plan. Vacation, flex days and other entitlements are also included.

How to Apply

The competition for the positions of Legal Counsel and Senior Legal Counsel is open until September 15, 2015. Interested persons should send their resume via email quoting the position title in the subject line, to careers@albertamsa.ca.

We thank all applicants for their interest in the Market Surveillance Administrator; however only those candidates selected for an interview will be contacted. Successful

candidates will need to undergo background checks prior to the commencement of employment.

Privacy Notice

The personal information contained in cover letters and resumes is being collected for the purpose of determining your eligibility and qualifications for a position with the MSA. This information is collected in accordance with Section 33(c) of the *Freedom of Information and Protection of Privacy Act*.

If you have any questions about the collection or use of this information, please contact the MSA's FOIP Coordinator, #500, 400 – 5th Avenue S.W. Calgary AB T2P 0L6 or by telephone at 403-705-3181.