

Energy Law – Fall Term 2010

Laws 2213.02 (Exam) / 2214.03 (Paper)

Faculty of Law, Dalhousie University Course Syllabus

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Office hours: By appointment

Class: Wednesday 6:00 to 8:00 PM, Room 304
Credit Value: 2 Credits (Exam) or 3 Credits (Paper)

Note: Communications will be by email to the students' official dal.ca accounts, and students will be deemed to have received anything sent to their dal.ca accounts.

I. COURSE DESCRIPTION

The course offers a general introduction of global and national energy issues, including energy security, energy demand and supply, the range of energy sources available, and the social, economic and environmental consequences of the choices. Following this broad introduction, the course focuses on the production, distribution, sale and consumption of electricity. It considers a range of law and policy issues dealing with electricity, including the regulatory process, implications for environmental law, and trade law issues.

II. REQUIRED READING MATERIALS

The required and recommended reading materials for each class are set out in the course outline below. The outline provides links to the materials to be covered in each class, and is a tentative class and assignment schedule only. It may be necessary to amend, supplement or otherwise revise this tentative schedule as the term progresses. If this occurs, students will be informed in class and by email of any such amendments or revisions, and the course syllabus will be updated accordingly. If a student must be absent from class, it is that student's responsibility to determine if any changes to the schedule have been announced.

III. EVALUATION

Evaluation will be by class participation (including one 10-15 minute presentation led by each student) worth 20%, and a choice between major paper, or a final take-home examination worth 80%.

The major paper will be due on the last day of classes – December 1, 2010. The length of the paper should be between 25 and 40 pages. Late penalties will be imposed for papers submitted after this date. Major Paper Guidelines are included as an Attachment to this syllabus.

The timing for the 24 hour take-home exam will be determined following discussion with those taking the exam. Late penalties will be imposed for exams submitted after the deadline. Every student is required to prepare their exam response completely independently.

IV. Plagiarism / Academic Honesty

All students in this course must read:

- the University policies on plagiarism and academic honesty referenced in the Policies and Student Resources sections of the plagiarism.dal.ca website, and
- the Law School policy on plagiarism, as set out in the law school regulations (available in hard copy from the Associate Dean's office and online at: http://law.dal.ca/Current_Students/Course_Selection_Materials/Regulations_Handbook/index.php)

Any paper or assignment submitted by a student at Dalhousie Law School may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the law school, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above.

Ignorance of the policies on plagiarism will not excuse any violation of those policies.

V. Students with Special Needs/Requests for Accommodation

Students seeking special accommodation with regard to course evaluation, such as exam deferral and extensions to deadlines, should consult with Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes as soon as possible, and before an exam is scheduled to be written or an assignment is due. Requests for special accommodation for reasons such as illness or personal circumstances will require an application to the Law School Studies Committee. Students should contact Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes if they require more information about the Studies Committee process. Students wishing to discuss arrangements for classroom assistance should see Professor Wildeman, the law faculty advisor to students with disabilities.

Students may request accommodation as a result of barriers related to disability, religious obligation, or any characteristic under the Nova Scotia Human Rights Act. Students who require academic accommodation for the writing of tests, quizzes and exams should make their request to the Office of Student Accessibility & Accommodation (OSAA) prior to or at the outset of each academic term (with the exception of X/Y courses). Please see www.studentaccessibility.dal.ca for more information and to obtain Form A – Request for Accommodation. Students may also contact the Office of Student Accessibility & Accommodation directly at 494-2836, and they may contact Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes for more information.

Energy Law Course Outline

Fall 2010

Class 1: September 8	Introduction – Overview of Course Topics and Key Concepts
Class 2: September 15	Energy and the Constitution <ul style="list-style-type: none">• Sections 91, 92, and 92A• Provincial and Federal Areas of Jurisdiction• Role of the National Energy Board
Class 3: September 22	Nova Scotia Utility and Review Board I <ul style="list-style-type: none">• Statutory Framework• Composition, Authority, and Role• Practice and Procedure
Class 4: September 29	Nova Scotia Utility and Review Board II <ul style="list-style-type: none">• Jurisdiction over Public Utilities• Limits on Jurisdiction
Class 5: October 6	Establishing Electricity Rates I <ul style="list-style-type: none">• Principles of Public Utility Rate-Making• The General Rate Application
Class 6: October 13	Establishing Electricity Rates II <ul style="list-style-type: none">• The General Rate Application, continued• Alternatives to Traditional Ratemaking: Fuel Adjustment Mechanism (FAM)
Class 7: October 20	Demand-Side Management (DSM) <ul style="list-style-type: none">• Approval of DSM Programs• Allocation of DSM Costs• Independent Administration of DSM: The <i>Efficiency Nova Scotia Corporation Act</i>
Class 8: October 27	Long-Term Energy Resource Planning <ul style="list-style-type: none">• Integrated Resource Planning (IRP) Reports• 2010 Nova Scotia Renewable Electricity Plan
Class 9: November 3	Independent Power Producers <ul style="list-style-type: none">• Request for Proposals (RFP)• Power Purchase Agreements (PPA)• Consideration of Alternatives: Standard Offer
<i>November 10 – No Class</i>	

Class 10: November 17	Connecting New Generation to the System <ul style="list-style-type: none">• Open Access and System Operator Independence• The Queue Process
Class 11: November 24	Climate Change and Emissions Reduction <ul style="list-style-type: none">• International Dimensions and Energy Plans• Carbon Trading• Carbon Capture and Sequestration
Class 12: December 1	Wrap-up and General Discussion

ENERGY LAW – Winter 2010
Course Reading List

CLASS 2 – ELECTRICITY AND THE CONSTITUTION

The Constitution Act, 1867 (U.K.), 30 & 31 Victoria, c. 3, **Sections 91, 92, and 92A.**
<http://www.canlii.org/en/ca/const/const1867.html>

Ontario Hydro v. Ontario (Labour Relations Board), [1993] 3 S.C.R. 327
<http://csc.lexum.umontreal.ca/en/1993/1993scr3-327/1993scr3-327.html>

Interprovincial and International Electricity Transmission
(Presentation by the National Energy Board)
<http://www.neb.gc.ca/clf-nsi/rpb/ctn/spchs/ndprsn/ntn/2009/ntrprvnc/ntrntnl/ctrettrnsmssn/ntrprvnc/ntrntnl/ctrettrnsmssn-eng.html>

Electricity Export Permit Approval - Bruce Power Inc. Export Permits EPE-299
(Handout)

National Energy Board Act, R.S.C. 1985, c. N-7, **Part III.1 and Part VI**
<http://www.canlii.org/en/ca/laws/stat/rsc-1985-c-n-7/latest/rsc-1985-c-n-7.html>

National Energy Board Electricity Regulations, SOR/97-130, **Section 9**
<http://www.canlii.org/en/ca/laws/regu/sor-97-130/latest/sor-97-130.html>

CLASS 3 – NOVA SCOTIA UTILITY AND REVIEW BOARD I

Utility and Review Board Act, S.N.S. 1992, c. 11
<http://www.canlii.org/en/ns/laws/stat/sns-1992-c-11/latest/sns-1992-c-11.html>

Board Regulatory Rules, N.S. Reg. 235/2005
<http://www.canlii.org/en/ns/laws/regu/ns-reg-235-2005/latest/ns-reg-235-2005.html>

Duty of Fairness of Board Members:

Newfoundland Telephone Co. v. Newfoundland (Board of Commissioners of Public Utilities), [1992] 1 S.C.R. 623
<http://scc.lexum.umontreal.ca/en/1992/1992scr1-623/1992scr1-623.html>

Information Requests: *Affordable Energy Coalition (Re)*, 2007 NSUARB 133
<http://www.canlii.org/en/ns/nsuarb/doc/2007/2007nsuarb133/2007nsuarb133.html>

Confidential Information: *Nova Scotia Power Inc., Re*, 2005 NSUARB 92
<http://www.canlii.org/en/ns/nsuarb/doc/2005/2005nsuarb92/2005nsuarb92.html>

“Effective Advocacy Before Administrative Tribunals”, Peter Gurnham Q.C.
(Handout)

CLASS 4 – NOVA SCOTIA UTILITY AND REVIEW BOARD II

Public Utilities Act, R.S.N.S. 1989, c. 380
<http://www.canlii.org/en/ns/laws/stat/rsns-1989-c-380/latest/rsns-1989-c-380.html>

Jurisdiction:

ATCO Gas & Pipelines Ltd. v. Alberta (Energy & Utilities Board), [2006] 1 S.C.R. 140:
(Headnote)
<http://csc.lexum.umontreal.ca/en/2006/2006scc4/2006scc4.html>

Board of Commissioners of Public Utilities v. Nova Scotia Power Corporation et al [1976]
N.S.J. No. 505; 18 N.S.R. (2d) 692

Limits on Jurisdiction:

Nova Scotia Power Incorporated (Re), 2009 NSUARB 111 – **Paras 1-47**:
<http://www.canlii.org/en/ns/nsuarb/doc/2009/2009nsuarb111/2009nsuarb111.html>

Dalhousie Legal Aid Service v. Nova Scotia Power Inc., 2006 NSCA 74
<http://www.canlii.org/en/ns/nsca/doc/2006/2006nsca74/2006nsca74.html>

CLASS 5 - ESTABLISHING ELECTRICITY RATES I

Nova Scotia Power Privatization Act, S.N.S. 1992, c. 8
<http://www.canlii.org/en/ns/laws/stat/sns-1992-c-8/latest/sns-1992-c-8.html>

Nova Scotia Power Reorganization (1998) Act, S.N.S. 1998, c. 19
<http://www.canlii.org/en/ns/laws/stat/sns-1998-c-19/latest/sns-1998-c-19.html>

General Rate Applications and the Recovery of Prudent Costs:

2005 Rate Case

Nova Scotia Power Inc., Re, 2005 NSUARB 27 (CanLII) – **General review of the case, but particularly Para 16-21, and 47-97**
<http://www.canlii.org/en/ns/nsuarb/doc/2005/2005nsuarb27/2005nsuarb27.html>

CLASS 6 – ESTABLISHING ELECTRICITY RATES II

General Rate Applications (continued) - Settlement by the Parties

Nova Scotia Power Incorporated (Re), 2007 NSUARB 8 (CanLII) – **Para 22-38**
<http://www.canlii.org/en/ns/nsuarb/doc/2007/2007nsuarb8/2007nsuarb8.html>

Fuel Adjustment Mechanism Approval, and the “Public Interest”

Nova Scotia Power Incorporated (Re), 2007 NSUARB 174 (CanLII)
<http://www.canlii.org/en/ns/nsuarb/doc/2007/2007nsuarb174/2007nsuarb174.html>

CLASS 7 – DEMAND-SIDE MANAGEMENT

2008 NSPI Demand-Side Management Application

Nova Scotia Power Incorporated's (Re), 2008 NSUARB 47 – **Para 1-37**
<http://www.canlii.org/en/ns/nsuarb/doc/2008/2008nsuarb47/2008nsuarb47.html>

2009 Demand-Side Management Application

Nova Scotia Power Incorporated (Re), 2009 NSUARB 116 – **Para 1-10, 53-68**
<http://www.canlii.org/en/ns/nsuarb/doc/2009/2009nsuarb116/2009nsuarb116.html>

Efficiency Nova Scotia Corporation Act, S.N.S. 2009, c. 3

<http://www.canlii.org/en/ns/laws/stat/sns-2009-c-3/latest/sns-2009-c-3.html>

CLASS 8 – LONG-TERM ENERGY RESOURCE PLANNING

2008 NSPI Demand-Side Management Application

Nova Scotia Power Incorporated's (Re), 2008 NSUARB 47 – **Paras. 38-52**
<http://www.canlii.org/en/ns/nsuarb/doc/2008/2008nsuarb47/2008nsuarb47.html>

NSPI's 2009 Integrated Resource Plan Update Report – Pages 1-39

<http://www.nsuarb.ca/images/stories/pdf/evidence/p884/final%20report.pdf>

Nova Scotia 2010 Renewable Electricity Plan

<http://www.gov.ns.ca/energy/resources/EM/renewable/renewable-electricity-plan.pdf>

CLASS 9 – INDEPENDENT RENEWABLE ENERGY DEVELOPMENT

Renewable Energy Standard Regulations, N.S. Reg. 35/2007

<http://www.canlii.org/en/ns/laws/regu/ns-reg-35-2007/latest/ns-reg-35-2007.html>

NSPI 2008 Request for Proposals (RFP) for Small Renewable Energy

<http://www.nspower.ca/site-nsp/media/nspower/2008SmallRenewablesRFP.pdf>

[NSPI Standard Power Purchase Agreement \(PPA\) for distribution connected projects
http://www.nspower.ca/site-
nsp/media/nspower/Power_Purchase_Agreement_for_Renewable_Energy.pdf](http://www.nspower.ca/site-nsp/media/nspower/Power_Purchase_Agreement_for_Renewable_Energy.pdf)

CLASS 10 – GENERATION INTERCONNECTION ISSUES

[Open Access Transmission Tariff Approval](http://www.canlii.org/en/ns/nsuarb/doc/2005/2005nsuarb50/2005nsuarb50.html)

Nova Scotia Power Inc., Re., 2005 NSUARB 50

<http://www.canlii.org/en/ns/nsuarb/doc/2005/2005nsuarb50/2005nsuarb50.html>

[NSUARB First-Ready Queue Decision – dated September 23, 2008](http://www.nsuarb.ca/images/stories/pdf/Decisions/Permanent/electricity/app%20to%20amend%20gip%20p890.pdf)

[http://www.nsuarb.ca/images/stories/pdf/Decisions/Permanent/electricity/app%20to%20amend%
20gip%20p890.pdf](http://www.nsuarb.ca/images/stories/pdf/Decisions/Permanent/electricity/app%20to%20amend%20gip%20p890.pdf)

CLASS 11 – CLIMATE CHANGE AND EMISSION REDUCTIONS

Statutory References:

Air Quality Regulations, N.S. Reg. 28/2005

<http://www.canlii.org/en/ns/laws/regu/ns-reg-28-2005/latest/ns-reg-28-2005.html>

Regulations Respecting Greenhouse Gas Emissions, N.S. Reg. 260/2009

<http://www.canlii.org/en/ns/laws/regu/ns-reg-260-2009/latest/ns-reg-260-2009.html>

Environmental Goals and Sustainable Prosperity Act, S.N.S. 2007, c. 7

<http://www.canlii.org/en/ns/laws/stat/sns-2007-c-7/latest/sns-2007-c-7.html>

CLASS 12 – WRAP-UP AND GENERAL DISCUSSION

MAJOR PAPER GUIDELINES

A “major paper” is a writing requirement worth not less than 60% of the final mark awarded in a class (i.e between 60% and 100%).

Faculty Council designates which courses are to be taught as paper courses.

Guidelines for Major Paper Classes

- a. Normally the paper will not be shorter than 25 pages.
- b. At the beginning of the course, the professor should give the class an indication of the expectations regarding length. The professor might say “the minimum page length is 25 pages; while there is no maximum length, my expectation is that most papers will between 25 and 40 pages long.”
- c. Normally a paper of a general descriptive nature will not meet the standards.
- d. Normally the topic undertaken will be suitable for in-depth research with legal emphasis in a limited field of inquiry.
- e. Normally the supervisor should approve the topic and the outline or draft of the paper.
- f. Faculty members should make themselves available to meet with students to discuss the graded papers.
- g. At each stage of the supervision of major papers, both the supervising faculty member and the student should pay explicit attention to each of the criteria relevant to the evaluation of the paper.
- h. Copies of the major paper guidelines should be made available to students.

1. Objective of Major Paper Requirement

The major paper requirement is intended to assist in the improvement of the legal research and writing skills the student already has. It is to be, in effect, an extension of the first year legal writing program. The topics upon which the written assignments are undertaken should be of a type suitable for in-depth research in a limited field of inquiry and substantial Faculty input is essential.

2. Performance Expectation

The aim should be writing of publishable quality. It is to be expected that most students will not achieve such a high level of quality, just as most students will be unable to achieve an A standing in other classes. Papers should exhibit at least some level of legal analysis and not consist of a more recitation of decisions and facts. Supervision should be sufficient to make the writing requirement a real learning experience. This necessarily involves feedback to the student during the preparation of the paper and after its completion.

3. Curve Does Not Apply

The curve does not apply as a guideline in the marking of major papers, although a median grade range of 73-75 is enforced.

4. Criteria

The criteria of (a) Research; (b) Organization: Logic/Coherence; (c) Analysis-Insight-Synthesis; (d) Literary Style and (e) Originality are adopted explicitly as the ones relevant to evaluation of major papers. The definition of these criteria and the alphabetical grade equivalents and weights assigned to them as set out in the following table are adopted.

Please see Major Paper Guidelines Table in the calendar

- a. **Research** involves the ability to find, select and use effectively all primary materials (case, statutes, regulations) and secondary sources (books or articles) relevant to the topic. In many classes, a comparative analysis of material from other jurisdictions (e.g. Britain and the United States) is appropriate or even essential. Students should not rely exclusively on secondary sources, but should read the original text of major cases and statutes referred to in the literature. Research materials should include, where appropriate, non-legal sources. Empirical research by students ought to be encouraged.

The table adopts the following descriptors for research (horizontal axis):

- i) Outstanding - as defined above
 - ii) Thorough- no important area of research has been missed but there are a few loose ends or other sources that ought to have been explored.
 - iii) Not quite thorough - an important area of research has been missed or there are both loose ends and other sources to be explored.
 - iv) Serious but Unsuccessful canvass of sources contains the failings of (iii) only more so.
 - v) Mere attempt to consider sources - distinguishable from (iv) as being cursory rather than serious in considering main sources or there are clear errors in research, e.g. student fails to check for appeals of relevant decisions, and bases much of the analysis on a court of appeal case that has been reversed by the Supreme Court of Canada.
 - vi) No serious research effort - self explanatory
- b. **Organization: Logic/Coherence** relates to the logical and coherent presentation of the subject matter, so that it is readily intelligible to the reader.

The introduction should assist the reader by providing both a clear statement of the problem that the student has chosen to analyze, the goal she/he seeks to achieve and a brief overview of the subjects she/he intends to discuss. The conclusion should play a similar role at the end of the paper, except that it should also summarize the student's conclusions. Topics should appear in a logical sequence. Legal and factual material that provides the foundation for discussion of a particular issue should be set out before that issue is reached. The student should use headings to structure the paper and indicate when she/he is moving to a new topic or subtopic. There should also be transitional text to justify the shift to a new topic, explain its connection to issues previously discussed, and the like.

The table adopts the following descriptors for Organization (vertical axis):

- Excellent Organization
- Well organized: A few minor flaws, but generally good logical flow
- Moderate Disorganization throughout, but paper is generally intelligible
- Substantial Disorganization: paper hard to follow
- Incoherent: Disorganization is so great that paper is unintelligible

- c. **Analysis-Insight-Synthesis:** These criteria relate to the evaluation of the student's ability to understand and utilize effectively the materials that she/he has found through research. They require an understanding of the subject matter that goes beyond the ability to merely recite the rationales of cases, the conclusions reached by other authorities or bare statistics.

Analysis relates to the student's detailed use of cases, statutes, and secondary sources within the paper to explore particular issues that she/he has identified. Good analysis will assist the reader to achieve a sophisticated understanding of the issues and relevant legal authorities without the need to read all the various sources that the student had identified through research. The student should provide a factual background adequate to permit the reader to understand the context in which legal problems arise. She/he should describe relevant legal material (cases/statutes) and important policy analysis (for example, Law Reform Commission materials) in sufficient detail to provide the reader with a clear view of any legal controversies that exist and reasoning that has been put forward to support the various positions. There are a wide variety of analytical weaknesses that may be displayed by students. Examples include missing a relevant issue or legal argument, identifying legal problems but not exploring available legal principles that may have a bearing on their solution, or stating the conclusions of cases significant to analysis of an issue without setting out the reasoning that the court used to justify its conclusions.

“Insight” involves an in-depth understanding of the fundamental issues. Good “Synthesis”, which usually demonstrates this understanding, reflects the ability of the student to integrate the diverse material that she/he has found into a conceptual framework that is clearly explained to the reader. Insight and synthesis would probably show up in a strong statement of thematic material at the outset, its use as an organizing device in the paper, and a serious attempt in the conclusion either to determine whether the initial hypothesis had been proven or to assess the conceptual apparatus for its explanatory power. Weak insight and synthesis may be demonstrated by a student's failure to integrate relevant authorities for some or all of the paper.

A better paper will draw inferences from the digested material as to the present state and future development of the law in the area researched, as well as formulating recommendations for legal changes that might improve the situation and serve appropriate policy goals. Good analysis without much insight or synthesis may be average depending on the complexity or the novelty of the topic or research method. For instance, good analysis of an original topic (see Originality *infra*) may be as much as can be expected and should be rewarded highly. The same quality of analysis of a topic on which there is already a body of published critical writing that provides a framework or platform for the student's paper would have to show its own insight and synthesis to rate equally highly. A paper that sets out numerous cases or articles or otherwise merely describes the results of the student's research efforts, however extensive, without attempting to extract common principles or create an analytical basis is likely to be judged as poor.

The table adopts the following descriptors for analysis-insight-synthesis (vertically within each box in the table):

- Excellent
- Very Good
- Average
- Weak
- Poor

- d. **Literary Style:** This criterion relates to the linguistic style in which the paper is written. Most Dalhousie law students do a competent job with grammar and spelling and many have excellent literary style. The stylistic problems present in papers are of two sorts. Legal writing should be formal but clear and straightforward. Some students tend to be too colloquial, using slang or contractions such as “won't”. Other students try too hard to be formal, producing convoluted sentences, making excessive use of the passive voice, and the like.

Because most students are competent in terms of literary style, this criterion is used to make adjustments in the grades produced by the table set out above only in extreme cases. The professor may increase or reduce the alphabetic grade result produced by the table set out above by one grade level for exceptionally strong or exceptionally weak literary style as described below:

Descriptors for literary style:

Excellent: Literary style is significantly above the norm for Dalhousie Law students.
Raise table mark by one alphabetic grade level, e.g. B to B+

Average: Literary style is consistent with that demonstrated by the majority of Dalhousie law students, i.e. some stylistic weaknesses but basically competent
No change in table grade level as determined above

Weak: Student's literary style falls significantly below the norm for Dalhousie Law Students

and demonstrates serious, persistent weaknesses in grammar, spelling, or style
Reduce table mark by one alphabetic grade level, e.g. B to C+

- e. **Originality:** A highly prized, all-too-rare quality that cannot be easily defined, is used in the Table to raise the alphabetic grade that would have been assigned otherwise by a maximum of two grade levels. A paper may demonstrate good “analysis-synthesis” but still be lacking in originality. There are two different kinds of originality: topic originality and substantive originality.

The first sort of originality relates to the topic itself. This kind of originality exists when the student selects a topic where no research has been previously undertaken in Canada (i.e. there are no Canadian secondary sources that deal with the issue that the student has selected). There may or may not be articles or books that have been published on the topic in foreign jurisdictions (e.g. the United States or Britain), but even when such foreign sources do exist, a significant degree of creativity and extrapolation is required on the part of a student who undertakes to write on a topic where no previous Canadian research is available to help with all or part of the topic. This kind of originality may exist in major papers that display weaknesses in other areas. indeed, some kinds of analytical or organizational problems may be attributable precisely to the fact that the student is working in an area where no guidance is available from previous research carried out by more experienced scholars. The professor may recognize this kind of originality relating to topic by increasing the alphabetic grade produced by the table above by one level (e.g. from a B to a B+).

The second kind of originality may appear in the way the research is approached or in the understanding that the writer has gained of the topic and is able to convey to the reader, or in the form of new and convincing insights that are unique to the student author. This kind of originality, which is the hallmark of a paper of “publishable quality”, is not mere novelty although in other contexts the word may have that meaning: the new position advocated by the student must be credible, as well as novel. A major paper may demonstrate this kind of originality, even though the topic has been previously considered by other researchers in Canada. Originality of this kind will normally be associated with good “insight- synthesis-analysis”. The professor may recognize this kind of substantive originality by increasing the alphabetic grade produced by the table above by either one or two levels depending on the extent of the originality demonstrated by the paper (e.g. from a B+ to an A, or from a B+ to an A+ grade).

The cumulative effect of increases for originality is restricted to a jump of two grade levels. In other words, a professor cannot award a student an originality increase of three grade levels by accumulating an award of one grade level for topic originality, and two grade levels for substantive originality.

Major Paper Guidelines Table

Research:>		Outstanding	Thorough	Not quite thorough	Serious but Unsuccessful canvass of sources	Mere attempt to consider sources	No serious research effort
Organization/ Logical Flow 	Analysis Insight-Synthesis- 						
	Excellent	A	A-	B+	B	B-	F
Excellent	Very Good	A-	B+	B	B-	C+	F
Organization	Average	B+	B	B-	C+	C	F
	Weak	B	B-	C+	C	D+	F
	Poor	B-	C+	C	D+	D	F
	Excellent	A-	B+	B	B-	C+	F
	Very Good	B+	B	B-	C+	C	F
Well Organized	Average	B	B-	C+	C	D+	F
	Weak	B-	C+	C	D+	D	F
	Poor	C+	C	D+	D	F	F
	Excellent	B+	B	B-	C+	C	F
Moderate	Very Good	B	B-	C+	C	D+	F
Disorganization	Average	B-	C+	C	D+	D	F
	Weak	C+	C	D+	D	F	F
	Poor	C	D+	D	F	F	F
	Excellent	B	B-	C+	C	D+	F
Substantial	Very Good	B-	C+	C	D+	D	F
Organization	Average	C+	C	D+	D	F	F
	Weak	C	D+	D	F	F	F
	Poor	D+	D	F	F	F	F
	Excellent	B-	C+	C	D+	D	F
	Very Good	C+	C	D+	D	F	F
Incoherent	Average	C	D+	D	F	F	F
	Weak	D+	D	F	F	F	F
	Poor	D+	F	F	F	F	F
Literary Style:							
Excellent:	Raise table mark by one alphabetic grade level, e.g. B to B+						
Average:	No change in table grade level as determined above						
Weak:	Reduce table mark by one alphabetic grade level, e.g. B to B-						
Originality:	Raise table mark by one or two alphabetic grade levels e.g. B+ to A-, or A- or B+ to A.						