

1 Section 2 of New Brunswick Regulation 2013-65 under the Electricity Act is amended

(a) by repealing the following definitions:

- (i) “approved generation facility”;*
- (ii) “Certification Criteria Document”;*
- (iii) “compliance year”;*

(b) in the definition “eligible electricity” by striking out paragraph (a);

(c) by adding the following definitions in alphabetical order:

“distributed generation” means

(a) electricity that is generated by an embedded generation facility that is connected to the distribution system of a distribution electric utility and that began generating electricity on or after April 1, 2001, and

(b) electricity that is generated by a generation facility that is connected to the distribution system of a distribution electric utility and is operated by a customer of the distribution

electric utility if the customer has entered into a net metering agreement with the distribution electric utility. (*production distribuée*)

“electricity from renewable resources” means

- (a) eligible electricity,
- (b) electricity that is generated inside the Province in an innovative manner and provides a net environmental benefit to the Province,
- (c) electricity generated inside or outside the Province from any of the following sources:
 - (i) solar energy;
 - (ii) wind energy;
 - (iii) hydroelectric energy;
 - (iv) ocean-powered energy;
 - (v) biogas energy;
 - (vi) biomass energy; or
 - (vii) sanitary landfill gas; and
- (d) distributed generation if the electricity is
 - (i) eligible electricity,
 - (ii) electricity that is generated inside the Province in an innovative manner and provides a net environmental benefit to the Province, or

- (iii) electricity generated inside or outside the Province from any of the following sources:
- (A) solar energy;
 - (B) wind energy;
 - (C) hydroelectric energy;
 - (D) ocean-powered energy;
 - (E) biogas energy;
 - (F) biomass energy; or
 - (G) sanitary landfill gas. (*électricité de sources renouvelables*)

2 Section 3 of the Regulation is amended

- (a) by repealing subsection (1);*
- (b) by adding before subsection (2) the following:*

3(1.1) On December 31, 2020, and for each subsequent fiscal year, the Corporation shall ensure that 40% of the total in-province electricity sales in kWh is electricity from renewable resources.

3(1.2) On and after the commencement of this subsection and before December 31, 2020, the Corporation shall, for the purposes of gradually fulfilling the requirement under subsection (1.1), endeavour to obtain more electricity from renewable resources.

3(1.3) On and after the commencement of this subsection and before December 31, 2020, the Corporation shall, at a minimum, ensure that the percentage of the total in-province electricity

sales in kWh for the fiscal year 2012-2013 that is electricity from renewable resources is maintained.

(c) by repealing subsection (2) and substituting the following:

3(2) Any electricity from renewable resources that does not include the immediate and unfettered rights of ownership of any and all the environmental attributes associated with its generation shall not be counted towards fulfilling the requirement under subsection (1.1).

(d) in subsection (3) by striking out “the electricity obtained from a sanitary landfill that is an approved generation facility” and substituting “the electricity obtained from a sanitary landfill”.

3 Subsection 6(1) of the Regulation is amended by striking out “April 15” and substituting “April 21”.

4 Section 7 of the Regulation is amended in the portion preceding paragraph (a) by striking out “April 15” and substituting “April 21”.

5 The heading “Approval of generation facility” preceding section 9 of the Regulation is repealed.

6 Section 9 of the Regulation is repealed.

7 The heading “Maintaining approval” preceding section 10 of the Regulation is repealed.

8 Section 10 of the Regulation is repealed.

9 The heading “Loss of approval” preceding section 11 of the Regulation is repealed.

10 Section 11 of the Regulation is repealed.

- 11 The heading “Credits and debits” preceding section 12 of the Regulation is repealed.**
- 12 Section 12 of the Regulation is repealed.**
- 13 The heading “Compliance report” preceding section 13 of the Regulation is repealed.**
- 14 Section 13 of the Regulation is repealed.**
- 15 The heading “Plan for achieving compliance” preceding section 14 of the Regulation is repealed.**

- 16 Section 14 of the Regulation is repealed.**

- 17 The Regulation is amended by adding before section 15 the following:**

Progress report

14.1(1) The Corporation shall, within three months after the end of each fiscal year, report to the Minister the following information:

- (a) the total in-province electricity sales in kWh for the fiscal year;
- (b) the amount of in-province electricity sales in kWh that was reduced by demand-side management and energy efficiency plans for the fiscal year;
- (c) the total amount of electricity from renewable resources in kWh obtained during the fiscal year;
- (d) the total amount of eligible electricity in kWh obtained during the fiscal year;

(e) the total amount of electricity in kWh that is generated inside the Province in an innovative manner, provides a net environmental benefit to the Province and is obtained during the fiscal year;

(f) the total amount of electricity in kWh that is generated inside the Province from each of the following sources and is obtained during the fiscal year:

- (i) solar energy;
- (ii) wind energy;
- (iii) hydroelectric energy;
- (iv) ocean-powered energy;
- (v) biogas energy;
- (vi) biomass energy; and
- (vii) sanitary landfill gas;

(g) the total amount of electricity in kWh that is generated outside the Province from each of the following sources and is obtained during the fiscal year:

- (i) solar energy;
- (ii) wind energy;
- (iii) hydroelectric energy;
- (iv) ocean-powered energy;
- (v) biogas energy;

- (vi) biomass energy; and
 - (vii) sanitary landfill gas;
- (h) the total amount of distributed generation in kWh obtained during the fiscal year if the electricity is
- (i) eligible electricity,
 - (ii) electricity that is generated inside the Province in an innovative manner and provides a net environmental benefit to the Province, or
 - (iii) electricity generated inside or outside the Province from any of the following sources:
 - (A) solar energy;
 - (B) wind energy;
 - (C) hydroelectric energy;
 - (D) ocean-powered energy;
 - (E) biogas energy;
 - (F) biomass energy; or
 - (G) sanitary landfill gas; and
- (i) a plan for how the Corporation will fulfil the requirement under subsection 3(1.1).

14.1(2) The report shall be accompanied by a declaration by the President and Chief Executive Officer with respect to the electricity from renewable resources referred to in paragraph (2)(c), other than the electricity generated from the destruction of methane and obtained from a sanitary

landfill, that the electricity from renewable resources obtained by the Corporation included the immediate and unfettered rights of ownership of any and all the environmental attributes resulting from its generation.

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