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Under section 10 of the *Climate Change Act*, the Lieutenant-Governor in Council makes the following Regulation:

### **Citation**

1 This Regulation may be cited as the *Phasing Out of Coal-fired Electricity Generation Regulation – Climate Change Act*.

### **Definitions**

2 The following definitions apply in this Regulation.

“Act” means the *Climate Change Act*. (*Loi*)

“compliance period” means a one-year or multi-year period prescribed in subsection 4(1) for which an emission cap has been set out in that subsection. (*période de conformité*)

“emission cap” means the maximum total quantity of regulated emissions set out in subsection 4(1) for a compliance period for all of the regulated facilities of the New Brunswick Power Corporation. (*plafond d’émission*)

“qualified person” means a qualified person as defined in the *Reduction of Greenhouse Gas Emissions Regulation – Climate Change Act*. (*personne compétente*)

“regulated emissions” means regulated emissions as defined in the *Reduction of Greenhouse Gas Emissions Regulation – Climate Change Act*. (*émissions réglementées*)

### **Interpretation**

**3** For the purposes of this Regulation, regulated emissions from a regulated facility whose primary purpose is to generate electricity for sale to the New Brunswick Power Corporation are deemed to form part of the total quantity of regulated emissions by all of the regulated facilities of the New Brunswick Power Corporation.

### **Emission caps**

**4(1)** The compliance periods, the calendar years covered by the periods and the corresponding emission caps are as set out in the following table:

Compliance period	Calendar year(s)	Emission cap (million tonnes of carbon dioxide equivalent)
1	2020	2.0 (total for year)
2	2021-2025	14.5 (cumulative total)
3	2026-2030	14.0 (cumulative total)
4	2031-2035	12.0 (cumulative total)
5	2036-2040	11.5 (cumulative total)

4(2) The emission caps set out in subsection (1) shall be met by the New Brunswick Power Corporation.

#### **Annual report**

5(1) Starting in the year 2021, and for every calendar year after that, the New Brunswick Power Corporation shall submit an annual report to the Minister on or before the date prescribed in the standards.

5(2) An annual report shall contain the information required by the standards.

5(3) An annual report shall be verified by a qualified person, in accordance with the standards and to the satisfaction of the Minister.

#### **Compliance report**

6(1) The New Brunswick Power Corporation shall submit a compliance report to the Minister for each compliance period on or before the date prescribed in the standards.

6(2) A compliance report shall contain the following:

- (a) the information required by the standards;
- (b) the total quantity of regulated emissions by all of the regulated facilities of the New Brunswick Power Corporation for the compliance period in question; and
- (c) a declaration signed by an authorized signing officer of the New Brunswick Power Corporation in the manner required by the standards.

6(3) If the Minister is satisfied that a compliance report contains any errors or omissions, the Minister may direct, in writing, that the New Brunswick Power Corporation make any corrections specified in the direction and submit an updated version of the report to the Minister within the time specified in the direction.

#### **Commencement**

**7** *This Regulation shall be deemed to have come into force on January 1, 2020.*