

**BILL 17 — 2010
CLEAN ENERGY ACT**

Contents

1	Definitions
PART 1 — BRITISH COLUMBIA'S ENERGY OBJECTIVES	
2	British Columbia's energy objectives
3	Integrated resource plans
4	Approval and procurement
5	Status report
6	Electricity self-sufficiency
7	Exempt projects, programs, contracts and expenditures
8	Rates
9	Domestic long-term sales contracts
PART 2 — PROHIBITIONS	
10	Two-rivers system development
11	Project prohibitions
12	Prohibited acquisitions
13	Burrard Thermal
PART 3 — PRESERVING HERITAGE ASSETS	
14	Sale of heritage assets prohibited
PART 4 — STANDING OFFER AND FEED-IN TARIFF PROGRAMS	
15	Standing offer program
16	Feed-in tariff program
PART 5 — ENERGY EFFICIENCY MEASURES AND GREENHOUSE GAS REDUCTIONS	
17	Smart meters
18	Greenhouse gas reduction
19	Clean or renewable resources
PART 6 — FIRST NATIONS CLEAN ENERGY BUSINESS FUND	
20	First Nations Clean Energy Business Fund
PART 7 — TRANSMISSION CORPORATION	
Division 1 — Transfer of Property, Shares and Obligations	
21	Definitions
22	Transfer of property
23	Transfer of obligations and liabilities
24	Records of transferred assets and liabilities
25	Transfer is not a default
26	Legal proceedings
Division 2 — Employees	
27	Definitions
28	Transfer of employees
29	Continuous employment
30	Pensions
Division 3 — General	
31	Commission subject to direction
32	<i>Utilities Commission Act</i>
33	Designated agreements
PART 8 — REGULATIONS	
Division 1 — Regulations by Lieutenant Governor in Council	
34	General
35	Regulations
Division 2 — Regulations by Minister	
36	General
37	Regulations
Division 3 — Regulations by Treasury Board	
38	Regulations
PART 9 — TRANSITION	
39	Transition
PART 10 — CONSEQUENTIAL AMENDMENTS	
40-76	Consequential Amendments
77	Commencement
Schedule 1 — Heritage Assets	
Schedule 2 — Prohibited Projects	

Exempt projects, programs, contracts and expenditures

- 7 (1) The authority is exempt from sections 45 to 47 and 71 of the *Utilities Commission Act* to the extent applicable, and from any other sections of that Act that the minister may specify by regulation, with respect to the following projects, programs, contracts and expenditures of the authority, as they may be further described by regulation:
- (a) the Northwest Transmission Line, a 287 kilovolt transmission line between the Skeena substation and Bob Quinn Lake, and related facilities and contracts;
 - (b) Mica Units 5 and 6, a project to install two additional turbines and related works and equipment at Mica;
 - (c) Revelstoke Unit 6, a project to install an additional turbine and related works and equipment at Revelstoke;
 - (d) Site C, a project to build a third dam on the Peace River in northeast British Columbia to provide approximately
 - (i) 4 600 gigawatt hours of energy each year, and
 - (ii) 900 megawatts of capacity;
 - (e) a bio-energy phase 2 call to acquire up to 1 000 gigawatt hours per year of electricity;
 - (f) one or more agreements with pulp and paper customers eligible for funding under Canada's Green Transformation Program under which agreement or agreements the authority acquires, in aggregate, up to 1 200 gigawatt hours per year of electricity;
 - (g) the clean power call request for proposals, issued on June 11, 2008, to acquire up to 5 000 gigawatt hours per year of electricity from clean or renewable resources;
 - (h) the standing offer program described in section 15;
 - (i) the feed-in tariff program described in section 16;
 - (j) the actions taken to comply with section 17 (2) and (3);
 - (k) the program described in section 17 (4).
- (2) The persons and their successors and assigns who enter into an energy supply contract with the authority related to anything referred to in subsection (1) are exempt from section 71 of the *Utilities Commission Act* with respect to the energy supply contract.
- (3) The commission must not exercise a power under the *Utilities Commission Act* in a way that would directly or indirectly prevent the authority from doing anything referred to in subsection (1).

**PART 5 — ENERGY EFFICIENCY MEASURES AND
GREENHOUSE GAS REDUCTIONS**

Smart meters

17 (1) In this section:

"private dwelling" means

- (a) a structure that is occupied as a private residence, or
- (b) if only part of a structure is occupied as a private residence, that part of the structure;

"smart grid" means the prescribed equipment;

"smart meter" means a meter that meets the prescribed requirements, and includes related components, equipment and metering and communication infrastructure that meet the prescribed requirements.

(2) Subject to subsection (3), the authority must install and put into operation smart meters and related equipment in accordance with and to the extent required by the regulations.

(3) The authority must complete all obligations imposed under subsection (2) by the end of the 2012 calendar year.

(4) The authority must establish a program to install and put into operation a smart grid in accordance with and to the extent required by the regulations.

(5) The authority may, by itself, or by its engineers, surveyors, agents, contractors, subcontractors or employees, enter on any land, other than a private dwelling, without the consent of the owner, for a purpose relating to the use, maintenance, safeguarding, installation, replacement, repair, inspection, calibration or reading of its meters, including smart meters, or of its smart grid.

(6) If a public utility, other than the authority, makes an application under the *Utilities Commission Act* in relation to smart meters, other advanced meters or a smart grid, the commission, in considering the application, must consider the government's goal of having smart meters, other advanced meters and a smart grid in use with respect to customers other than those of the authority.