

# **THE NEWFOUNDLAND AND LABRADOR GAZETTE**

## **EXTRAORDINARY**

Part II

**PUBLISHED BY AUTHORITY**

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ST. JOHN'S, TUESDAY, JULY 28, 2015

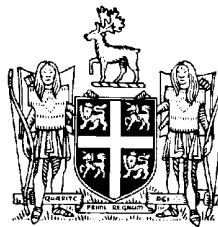
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**NEWFOUNDLAND AND LABRADOR  
REGULATION**

**NLR 47/15**





## NEWFOUNDLAND AND LABRADOR REGULATION 47/15

*Net Metering Exemption Order*  
under the  
*Electrical Power Control Act, 1994*  
(O.C. 2015-148)

*(Filed July 28, 2015)*

Under the authority of section 5.2 and subsection 14.1(7) of the *Electrical Power Control Act, 1994*, the Lieutenant-Governor in Council makes the following Order.

Dated at St. John's, July 28, 2015.

Paula Burt  
Deputy Clerk of the Executive Council

### ORDER

#### *Analysis*

- |                                 |                                     |
|---------------------------------|-------------------------------------|
| 1. Short title                  | 4. Net metering customers exemption |
| 2. Definitions                  | 5. Exemptions                       |
| 3. Newfoundland Power exemption |                                     |

Short title

**1.** This Order may be cited as the *Net Metering Exemption Order*.

Definitions

**2.** In this Order

(a) "Act" means the *Electrical Power Control Act, 1994*;

(b) "net metering customer" means a producer that

- (i) is a metered customer of a public utility,
  - (ii) has been accepted by that public utility into a net metering program,
  - (iii) generates electricity primarily for its own consumption,
  - (iv) uses the electricity that it generates for its own consumption before
    - (A) delivering any electricity that is in excess of its own needs at the time of generation to the public utility, or
    - (B) accepting delivery of electricity from the public utility,
  - (v) generates electricity solely from a renewable energy source, and
  - (vi) has a rated capacity, in relation to equipment that is connected to the public utility's distribution system, that is no greater than 100 kilowatts; and
- (c) "renewable energy source" means any source of renewable energy from which electricity may be generated and includes electricity from the following energy sources:
- (i) wind,
  - (ii) solar,
  - (iii) photovoltaic,
  - (iv) geothermal,
  - (v) tidal,
  - (vi) wave, and

(vii) biomass.

Newfoundland  
Power exemption

**3.** Newfoundland Power is exempt from subsection 14.1(1) of the Act for all aspects of its activities respecting the purchase of electrical power and energy from a net metering customer.

Net metering cus-  
tomers exemption

**4.** Net metering customers are exempt from paragraph 14.1(1)(a) of the Act for all aspects of their activities respecting the delivery of electrical power and energy to Newfoundland and Labrador Hydro and Newfoundland Power.

Exemptions

**5.** (1) The exemptions under sections 3 and 4 only apply where a net metering customer's net energy consumption or delivery at a property is measured at a single metering point.

(2) Notwithstanding sections 3 and 4 and subsection (1), only that portion of the combined rated capacity of all net metering customers' equipment connected to a public utility's distribution system that is 5 megawatts or less may be exempted under these regulations.

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## Extraordinary Gazette Index

<b>Title of Act and Subordinate Legislation made thereunder</b>	<b>CNLR or NL Reg.</b>	<b>Amendment</b>	<b>XNL Gazette Date &amp; Page No.</b>
<b>Electrical Power Control Act, 1994</b>			
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