

B.C. Reg. 102/2012
O.C. 295/2012

Deposited May 15, 2012

Clean Energy Act
GREENHOUSE GAS REDUCTION
(CLEAN ENERGY) REGULATION

Note: Check the Cumulative Regulation Bulletin 2014
for any non-consolidated amendments to this regulation that may be in effect.

[includes amendments up to B.C. Reg. 235/2013, November 28, 2013]

Point in Time

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Definitions

1 In this regulation:

"Act" means the *Clean Energy Act*;

"eligible vehicle" means

- (a) a specified vehicle with a power train and fuel system that has not been modified after manufacture,
- (b) a marine vehicle,
- (c) a mine haul truck, and
- (d) a locomotive

that uses, as a primary fuel source, compressed natural gas or liquefied natural gas;

"heavy-duty vehicle" means a truck or tractor-trailer with a manufacturer's gross vehicle weight rating of 11 793 kg or more;

"medium-duty vehicle" means a vehicle, including a waste-haulage truck,

with a manufacturer's gross vehicle weight rating of more than 5 360 kg but less than 11 793 kg;

"safety guidelines" means safety guidelines adopted by the British Columbia Safety Authority;

"specified vehicle" means a heavy-duty vehicle, medium-duty vehicle, school bus or transit bus;

"tanker truck load-out" means equipment for transferring liquefied natural gas from a storage tank to a liquefied natural gas tank trailer;

"undertaking period" means the period that ends on March 31, 2017.

[am. B.C. Reg. 235/2013, s. 1.]

Prescribed undertakings

2 (1) A public utility's undertaking that is in the class defined as follows is a prescribed undertaking for the purposes of section 18 of the Act:

(a) the public utility provides, through an open and competitive application process,

(i) grants or zero-interest loans to persons in British Columbia for the purchase of an eligible vehicle to be operated in British Columbia, or

(ii) grants to persons in British Columbia
(A) to implement safety practices, or
(B) to improve maintenance facilities

to meet safety guidelines for operating and maintaining an eligible vehicle;

(b) an expenditure on a grant or zero-interest loan for an eligible vehicle does not, in a year of the undertaking, exceed the percentage difference as indicated in the following table:

	Year of Undertaking					
	1	2	3	4	5	6
Percentage of the difference between the cost of the eligible vehicle and the cost of a comparable vehicle that uses gasoline or diesel	100	80	70	60	50	40

(c) total expenditures on the undertaking during the undertaking period, including expenditures on administration, marketing, training and education, do not exceed \$62 million, and

(i) expenditures on the undertaking during the undertaking period on marine vehicles do not exceed \$11 million, and

(ii) expenditures on the undertaking during the undertaking

period

(A) on administration, marketing, training and education do not exceed \$3.1 million, and

(B) on grants referred to in paragraph (a) (ii) do not exceed \$6 million.

(1.1) Despite the reference in subsection (1) (a) to an open and competitive application process, a public utility may, in carrying out the undertaking described in subsection (1), give priority to a person in British Columbia who fuels an eligible vehicle using natural gas delivered through the public utility's pipeline system.

(2) A public utility's undertaking that is in the class defined as follows is a prescribed undertaking for the purposes of section 18 of the Act:

(a) the public utility, before April 1, 2017, enters into a binding commitment to

(i) construct and operate, or

(ii) purchase and operate

one or more compressed natural gas fuelling stations, including storage, compression and dispensing equipment and facilities, within the service territory of the public utility for the purposes of providing compressed natural gas fuel and fuelling services to owners of vehicles that operate on compressed natural gas;

(b) total expenditures on the undertaking during the undertaking period, including expenditures on administration and marketing, do not exceed \$12 million, and

(i) the average expenditure on stations, in any year of the undertaking, does not exceed \$2 million per station, and

(ii) expenditures, during the undertaking period, on administration and marketing do not exceed \$240 000;

(c) at least 80% of the energy provided at each station is provided to one or more persons under a take-or-pay agreement with a minimum term of 5 years.

(3) A public utility's undertaking that is in the class defined as follows is a prescribed undertaking for the purposes of section 18 of the Act:

(a) the public utility, before April 1, 2017, enters into a binding commitment to

(i) construct and operate, or

(ii) purchase and operate

one or more tanker truck load-outs, liquefied natural gas tank trailers or liquefied natural gas fuelling stations for the purposes of providing

within British Columbia liquefied natural gas fuel and fuelling services to owners of vehicles that operate on liquefied natural gas;

(b) total expenditures on the undertaking during the undertaking period, including expenditures on administration and marketing, do not exceed \$30.5 million, and

(i) in any year of the undertaking period an expenditure on a station does not exceed \$2.75 million, and

(ii) expenditures during the undertaking period on a tanker truck load-out do not exceed \$5.5 million, and on administration and marketing do not exceed \$250 000;

(c) at least 80% of the energy provided at each station is provided to one or more persons under a take-or-pay agreement with a minimum term of 5 years.

(4) In subsections (1) to (3), "**expenditures**" includes, except with respect to expenditures on administration and marketing, binding commitments to incur expenditures in the future.

[am. B.C. Reg. 235/2013, s. 2.]

Repealed

3 Repealed. [B.C. Reg. 235/2013, s. 3.]

[Provisions relevant to the enactment of this regulation: [Clean Energy Act](#), S.B.C. 2010, c. 22, section 35]