



Province of Alberta

## ELECTRIC UTILITIES ACT

# MICRO-GENERATION REGULATION

### **Alberta Regulation 27/2008**

With amendments up to and including Alberta Regulation 218/2016

### Office Consolidation

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### **Note**

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(Consolidated up to 218/2016)

**ALBERTA REGULATION 27/2008**  
**Electric Utilities Act**  
**MICRO-GENERATION REGULATION**

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**Interpretation**

**1(1)** In this Regulation,

- (a) “Act” means the *Electric Utilities Act*;
- (a.1) “aggregated sites” means 2 or more sites that are
  - (i) located on property that is owned or leased by the same customer,
  - (ii) connected to a single electric distribution system feeder owned by one electric distribution system owner, and
  - (iii) enrolled with the same retailer;
- (a.2) “bi-directional cumulative meter” means a metering device or devices that measure the total electricity that has flowed in a circuit from one reading date to the next in each of 2 opposite directions, and that store in separate data registers the data respecting the flow of electricity in each direction;
- (b) “bi-directional interval meter” means a metering device or devices that measure the total electricity that has flowed in a circuit during defined intervals in each of 2 opposite

directions, and that store in separate data registers the data respecting the flow of electricity;

- (b.1) “electric distribution system feeder” means a named circuit within an electric distribution system;
- (c) repealed AR 203/2015 s2;
- (d) “ISO” means the Independent System Operator;
- (e) “large micro-generation” means
  - (i) generation of electric energy from a micro-generation generating unit with a total nameplate capacity of at least 150 kW but not exceeding 5 MW, and
  - (ii) micro-generation deemed by section 3(4) or (5)(a) to be large micro-generation for the purposes of this Regulation;
- (f) repealed AR 203/2015 s2;
- (g) “micro-generation” includes large micro-generation and small micro-generation;
- (h) “micro-generation generating unit” means a generating unit of a customer that
  - (i) exclusively uses sources of renewable or alternative energy,
  - (ii) is intended to meet all or a portion of the customer’s total energy consumption at the customer’s site or aggregated sites,
  - (iii) has a total nameplate capacity that does not exceed the lesser of 5 MW or the rating of the customer’s service,
  - (iv) supplies electric energy only to a site that is located on property that the customer owns or leases, and
  - (v) is located
    - (A) on the property referred to in subclause (iv), or
    - (B) on property that the customer owns or leases that is adjacent to the property referred to in subclause (iv);

- (h.1) “micro-generation site” means a site from which a micro-generation generating unit is capable of supplying electric energy to the interconnected electric system;
- (i) “micro-generator” means a customer who has provided to the applicable owner a notice in accordance with section 2(1), but does not include a customer whose generating unit has been determined by the Commission under section 2(3) not to be a micro-generation generating unit;
- (j) “net billing” means subtracting electric energy supplied out of a micro-generator’s micro-generation site during the billing period from electric energy supplied into the micro-generator’s micro-generation site during the billing period, and calculating a net charge or credit to the micro-generator based on the resulting net usage of electric energy during the billing period;
- (k) “owner” means the owner of an electric distribution system;
- (l) “renewable or alternative energy” means electric energy generated from
- (i) products having current EcoLogo certification, or
  - (ii) solar, wind, hydro, fuel cell, geothermal, biomass or other generation sources, if the greenhouse gas intensity of
    - (A) the electric energy produced, or
    - (B) the total energy produced from the simultaneous generation of electric energy and production of thermal energy from the same fuel sourceis less than or equal to 418 kg per MWh;
- (m) “site” means a customer’s unique end-use service delivery point for electricity services;
- (n) “small micro-generation” means generation of electric energy from a micro-generation generating unit with a total nameplate capacity of less than 150 kW, but does not include micro-generation that is deemed by section 3(4) or 5(a) to be large micro-generation for the purposes of this Regulation.

**(1.1)** For greater certainty, properties that are separated only by an easement or a public right of way are adjacent for the purposes of subsection (1)(h)(v)(B).

(2) Repealed AR 203/2015 s2.

AR 27/2008 s1;233/2009;288/2009;203/2015;218/2016

#### **Notice to owner**

**2(1)** A customer who intends to supply electric energy to the interconnected electric system from a micro-generation generating unit shall provide to the applicable owner a notice to that effect, in a form established by the Commission and including all information required by the Commission, specifying the date on which the customer proposes to commence supplying electric energy to the interconnected electric system.

(2) If an owner, on receipt of a notice under subsection (1), is of the opinion that the customer's generating unit will not qualify as a micro-generation generating unit, the owner may, within 14 days of receipt of the notice from the customer and on notice to the customer, file with the Commission a notice of dispute in a form established by the Commission and including all information required by the Commission.

(3) The Commission, on receipt of a notice of dispute under subsection (2), must, within 30 days or such longer period as the Commission, on notice to the owner and the customer, considers necessary,

- (a) investigate and determine whether the customer's generating unit is or will be a micro-generation generating unit, and
- (b) communicate its decision to the owner and the customer.

(4) The decision of the Commission under subsection (3) is final and is not subject to appeal.

AR 218/2016 s3

#### **Notice to owner of change in nameplate capacity**

**2.1(1)** A micro-generator who intends to change the nameplate capacity of the micro-generator's micro-generation generating unit shall provide to the applicable owner a notice to that effect, in a form established by the Commission and including all information required by the Commission.

(2) If an owner, on receipt of a notice under subsection (1), is of the opinion that the micro-generator's micro-generation generating unit will no longer qualify as a micro-generation generating unit after a change or proposed change to its nameplate capacity, the owner may, within 14 days of receipt of the notice from the micro-generator and on notice to the micro-generator, file with the Commission a notice of dispute in a form established by the Commission and including all information required by the Commission.

(3) The Commission, on receipt of a notice of dispute under subsection (2), must, within 30 days or such longer period as the Commission, on notice to the owner and the micro-generator, considers necessary,

- (a) investigate and determine whether the micro-generator's micro-generation generating unit continues to be a micro-generation generating unit after the change to its nameplate capacity, and
- (b) communicate its decision to the owner and the micro-generator.

(4) The decision of the Commission under subsection (3) is final and is not subject to appeal.

AR 218/2016 s3

#### **Meters**

**3(1)** Following receipt of a notice under section 2(1), but subject to any dispute by the owner under section 2(2) and determination of the dispute by the Commission under section 2(3), the owner must within a reasonable time ensure that meters suitable for net billing are installed at the customer's micro-generation site.

**(1.1)** Following receipt of a notice under section 2.1(1), but subject to any dispute by the owner under section 2.1(2) and determination of the dispute by the Commission under section 2.1(3), the owner must within a reasonable time ensure that meters suitable for net billing and the nameplate capacity of the micro-generation generating unit are installed at the micro-generator's micro-generation site.

**(2)** The meters installed under subsection (1) or (1.1) must be

- (a) in the case of small micro-generation, a bi-directional cumulative meter, and
- (b) in the case of large micro-generation, a bi-directional interval meter.

**(3)** Notwithstanding subsection (2), a customer may request for the purpose of small micro-generation a bi-directional interval meter in lieu of a bi-directional cumulative meter, in which case the owner must in a timely manner either

- (a) comply with the request without charge to the customer, or
- (b) decline the request with notice to the customer.

(4) If the owner complies with the request of a customer under subsection (3), the customer's micro-generation is deemed to be large micro-generation for the purposes of this Regulation.

(5) If the owner declines the request of a customer under subsection (3), the customer may

- (a) agree to pay the owner's reasonable costs of supplying and installing the bi-directional interval meter, in which event the owner must proceed with the installation and the customer's micro-generation is deemed to be large micro-generation for the purposes of this Regulation, or
- (b) apply to the Commission for an order requiring that the owner comply with the request without charge to the customer, in which event the Commission may investigate and decide the matter as it considers just.

AR 27/2008 s3;203/2015;218/2016

#### **Connection and operation**

**4(1)** All costs of operation of a micro-generation generating unit, including the costs of complying with applicable laws, must be borne by the micro-generator.

(2) Costs of metering, meter data management and load settlement and, subject to subsection (3), costs of connecting a micro-generation generating unit to the interconnected electric system

- (a) are to be borne by the owner,
- (b) are costs of the owner for purposes related to the fixing of the owner's rates, and
- (c) must be reflected in the owner's rates on the basis that the costs are to be recovered from all customers of the owner.

(3) Where in the opinion of the owner, concurred in by the Commission on application by the owner, the costs of connecting a particular micro-generation generating unit to the interconnected electric system are extraordinary, due to safety considerations, technological complexity or any other reason, the owner may require that the micro-generator directly reimburse the owner for the extraordinary portion of the costs.

**(3.1)** Where a micro-generator has changed the nameplate capacity of a micro-generation generating unit that is connected to the interconnected electric system and, in the opinion of the owner, concurred in by the Commission on application by the owner, the costs of maintaining the connection of the micro-generation

generating unit to the interconnected electric system are extraordinary, due to safety considerations, technological complexity or any other reason, the owner may require that the micro-generator directly reimburse the owner for the extraordinary portion of the costs.

**(4)** An owner must, in accordance with the applicable rules established by the Commission,

- (a) provide meter data management services for micro-generators within its service area, and
- (b) ensure that the meter data manager provides meter data in respect of micro-generation sites to retailers, load settlement agents and the ISO.

AR 27/2008 s4;218/2016

#### **Load settlement**

**5** Load settlement in respect of electric energy supplied into and out of a micro-generator's micro-generation site must be conducted in accordance with the Commission's rules made under section 24.1 of the Act.

AR 27/2008 s5;218/2016

#### **Exclusion from power pool**

**6** Section 18(2) of the Act does not apply to electric energy from small micro-generation entering the interconnected electric system.

AR 27/2008 s6;218/2016

#### **Compensation for micro-generation**

**7(1)** A customer must provide notice in writing to the customer's retailer that the customer is or intends to be a micro-generator.

**(2)** This section applies to a retailer only in relation to a customer who has complied with subsection (1).

**(3)** A micro-generator's retailer must act as the market participant and deal with the ISO in respect of the electric energy generated by the micro-generator.

**(4)** The distribution tariff applied to a micro-generation site must be based on the electric energy supplied into the site and must be the same as the distribution tariff that would apply if the customer were not a micro-generator.

**(5)** Unless a micro-generator and a retailer agree in writing to different compensation, a micro-generator's retailer shall credit the

micro-generator for electric energy supplied out of the micro-generator's micro-generation site at the following rates:

- (a) in the case of small micro-generation, at that retailer's retail energy rate;
- (b) in the case of large micro-generation, at the hourly pool price for each hour in the billing period.

**(6)** For small micro-generation,

- (a) retailers must submit for each micro-generator's micro-generation site a generation credit summary report to the ISO on a monthly basis listing
  - (i) electric energy supplied out of the site during the relevant month,
  - (ii) the retailer's retail energy rate for the month, and
  - (iii) the total credit, consisting of the amount in subclause (i) multiplied by the rate in subclause (ii),
- (b) the ISO must
  - (i) compensate retailers for the amount determined under clause (a)(iii), and
  - (ii) recover the amount in subclause (i) through the applicable ISO tariff or fee, as determined by the Commission,

and

- (c) unless the Commission directs otherwise, load settlement agents are not required to include in load settlement calculations the amount determined under clause (a)(i).

**(7)** For large micro-generation,

- (a) retailers must exchange through the power pool the electric energy supplied out of micro-generators' micro-generation sites, and
- (b) the ISO must compensate retailers for the electric energy supplied out of micro-generators' micro-generation sites through the ISO's financial settlement system.

AR 27/2008 s7;218/2016

**Billing services**

**8(1)** A micro-generator's retailer must provide net billing to the micro-generator.

**(2)** In any month where a micro-generator's net billing establishes a credit to the micro-generator, the amount of the credit must be carried forward in accordance with subsection (3).

**(3)** Where a retailer carries forward a credit,

- (a) the credit may be used in the next month only to offset a charge for that month,
- (b) the credit may be carried forward for up to 12 months to offset a charge for any month,
- (c) successive credits must be applied to offset charges in the order in which the credits were accrued, and
- (d) the retailer must, at least once in each calendar year, settle with each micro-generator the unused credits accumulated by that micro-generator in the form of a payment, an offset against any charges owed by the micro-generator or a combination of payment and offset.

**(4)** For the purposes of subsection (3), a charge must be calculated only by reference to charges for electricity, and must not include any charges billed to the customer other than for use of electricity.

**9** Repealed AR 203/2015 s4.

**10** Repealed AR 218/2016 s9.



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