



## **PLEASE NOTE**

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the [Royal Gazette](#) should be consulted to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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**CHAPTER R-12.1**  
**RENEWABLE ENERGY ACT**  
**NET-METERING SYSTEM REGULATIONS**

Pursuant to section 18 of the *Renewable Energy Act* R.S.P.E.I. 1988, Cap. R-12.1, Council made the following regulations:

- |  |                                       |
|--|---------------------------------------|
| <b>1. In these Regulations</b>   | Definitions                           |
| (a) "Act" means the <i>Renewable Energy Act</i> R.S.P.E.I. 1988, Cap. R-12.1;  | Act                                   |
| (b) "SCRE generator" means a small capacity renewable energy generator. (EC765/05)   | SCRE generator                        |
| <b>2. A net-metering system agreement entered into under section 11 of the Act shall contain and is deemed to contain the conditions set out in Schedule A. (EC765/05)</b> | Conditions in Schedule                |
| <b>3. No SCRE generator shall use the distribution facilities of a public utility to transmit electrical energy to the load of the SCRE generator. (EC765/05)</b>          | No tapping of distribution facilities |

## SCHEDULE A

### CONDITIONS APPLICABLE TO A NET-METERING SYSTEM AGREEMENT MADE UNDER SECTION 11 OF THE ACT

#### 1. Compliance

The parties to a net-metering agreement shall ensure that the generating and interconnection systems between them are compliant with the practices, methods and equipment, as changed from time to time, that are commonly accepted practice in electrical engineering operations to operate electric equipment lawfully and with safety and dependability and that such systems comply with the *Electrical Inspection Act* R.S.P.E.I. 1988, Cap. E-3, the latest authorized edition of the Canadian Electrical Code and generally accepted electrical utility practice.

#### 2. Installation of the Disconnect

The design, installation, operation and maintenance of the SCRE generator's facility shall include appropriate control and protection equipment and a manual load-break disconnect device lockable in the open position and accessible by the public utility as a means of electrically isolating the SCRE generator's system from the public utility's system, and to establish working clearance for maintenance and repair work in accordance with accepted electrical practice. The load-break disconnect device shall be furnished and installed by the SCRE generator and is to be connected between the SCRE generator's system and the public utility's distribution system. The disconnect device shall be located in the immediate vicinity of the electric meters serving the SCRE generator, but with the permission of the public utility, the disconnect may be located at an alternative location which is accessible to the public utility's personnel on a 24-hour basis. The disconnect device shall be clearly labelled "Net-Metering System Disconnect". Upon reasonable notice to the SCRE generator, the public utility shall have the right to inspect the small capacity renewable energy generating system.

#### 3. Notice

A SCRE generator shall provide the public utility with an advance written notice of thirty (30) days of any proposed material changes to the small capacity renewable energy system, including any change in ownership or any increase in electrical capacity. If the ownership of a

SCRE generator changes, the public utility may require the new owner to have the system re-inspected.

#### **4. Permits and Licenses**

The SCRE generator shall obtain, at its expense, any and all authorizations, permits and licenses required for the construction and operation of its small capacity renewable energy generating system.

#### **5. Metering**

The public utility shall supply, own, maintain and read all necessary meters utilized for billing. The SCRE generator shall supply, at no expense to the public utility, a suitable location for meters utilized for billing.

#### **6. Indemnification**

Each party as indemnitor shall hold harmless and indemnify the other party and the directors, officers, authorized agents, and employees of such other party against and from any and all loss and liability for injuries to persons including employees and authorized agents of either party, and damages, including property of either party, resulting from or arising out of (i) the engineering, design, construction, maintenance, or operation of, or (ii) the making of replacements, additions, or betterments to the indemnitor's facilities which are required for the interconnection and parallel operation of the SCRE generator's system with the public utility's distribution system and the generation of energy by the SCRE generator. Neither party shall be indemnified for liability or loss resulting from its sole negligence or wilful misconduct. Nothing in this agreement shall create any duty to, any standard of care with reference to, or any liability to any person not a party to it.

#### **7. Continuity of Service**

The public utility may require the SCRE generator to temporarily curtail, interrupt or reduce deliveries of electrical energy: (a) when necessary in order for the public utility to construct, install, maintain, repair, replace, remove, investigate or inspect any of its equipment or any part of its system; or (b) if the public utility determines that such curtailment, interruption or reduction is necessary because of a system emergency, forced outage, or compliance with accepted electrical practice. A SCRE generator shall not be entitled to any priority for restoration of service after a power outage.

**8. Additional Equipment**

The public utility is not required to install any additional distribution equipment for a SCRE generator that would not normally be afforded to other customers in a similar rate class and a similar location.

If the SCRE generator requests any such additional distribution equipment to be installed, the full cost of these additions shall be at the expense of the SCRE generator.

**9. Personnel and System Safety**

If at any time the public utility determines that the continued operation of the small capacity renewable energy generation system may endanger any person or property or the public utility's distribution system, or have an adverse effect on the safety or power quality of other customers of the public utility, the public utility shall have the right to disconnect the SCRE generator's system from the public utility's distribution system. The SCRE generator's system shall remain disconnected until such time as the public utility is satisfied that the endangering or power quality conditions have been corrected, and the public utility shall not be obligated to accept any electrical energy from the SCRE generator during such period. The public utility shall not be liable directly or indirectly for permitting or continuing to allow an attachment of a small capacity renewable energy generation system or for the acts or omissions of the SCRE generator that causes loss or injury, including death, to any third party. It is the responsibility of the SCRE generator to protect its system from voltage imbalances within the public utility's distribution system or reclosing operations after a power interruption.

**10. Power Factor**

The SCRE generator shall ensure that its system operates at a power factor of at least 0.90; in the event that the SCRE generator does not operate at this power factor, the net-metering agreement may be immediately declared void by the public utility.

**11. Additional Information**

The public utility reserves the right to require additional information, where necessary, to serve the SCRE generator.

**12. Termination of Agreement**

The SCRE generator may terminate a net-metering agreement at any time by giving written notice to the public utility that specifies the date of

termination. The public utility may terminate a net-metering agreement at any time if the SCORE generator violates the *Renewable Energy Act* or regulations made under the Act.  
(EC765/05)