



Part II
Regulations under the Regulations Act

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In force date of regulations: As of March 4, 2005*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

N.S. Reg. 145/2023

Made: July 19, 2023

Filed: August 16, 2023

Number of Councillors Order: Town of Digby

Order dated July 19, 2023
made by the Nova Scotia Utility and Review Board
pursuant to Section 369 of the *Municipal Government Act*

Order

M10945

Nova Scotia Utility and Review Board

In the matter of the *Municipal Government Act*

- and -

In the matter of an application by the **Town of Digby** to confirm the number of councillors

Before: Richard J. Melanson, LL.B., Member

Order

The Town of Digby made an application under s. 369 of the *Municipal Government Act* and the Board issued its written decision on July 18, 2023.

The Board approves the application and orders that the number of councillors for the Town is confirmed at four (4), to be elected at-large.

Dated at Halifax, Nova Scotia, this 19th day of July, 2023.

sgd. *Bruce A. Kiley*
Chief Clerk of the Board

N.S. Reg. 146/2023

Made: May 30, 2023

Filed: August 16, 2023

Number of Councillors Order: Town of Yarmouth

Order dated May 30, 2023
made by the Nova Scotia Utility and Review Board
pursuant to Section 369 of the *Municipal Government Act*

Order

M10908

Nova Scotia Utility and Review Board

In the matter of the *Municipal Government Act*

- and -

In the matter of an application by the **Town of Yarmouth** to confirm the number of councillors

Before: Richard J. Melanson, LL.B., Member

Order

The Town of Yarmouth made an application under s. 369 of the *Municipal Government Act* and the Board issued its written decision on May 30, 2023.

The Board approves the application and orders that the number of councillors for the Town is confirmed at six (6), to be elected at-large.

Dated at Halifax, Nova Scotia, this 30th day of May, 2023.

sgd. *Crystal Henwood*
Clerk of the Board

N.S. Reg. 147/2023

Made: August 10, 2023

Filed: August 16, 2023

Polling District Order: West Hants Regional Municipality

Order dated August 10, 2023
made by the Nova Scotia Utility and Review Board
pursuant to Section 369 of the *Municipal Government Act*

Order**M10841****Nova Scotia Utility and Review Board****In the matter of the *Municipal Government Act*****- and -**

In the matter of an application by the **West Hants Regional Municipality** to confirm the number of councillors and to alter the boundaries of polling districts

Before: Ronald A. Deveau, K.C., Vice Chair

Order

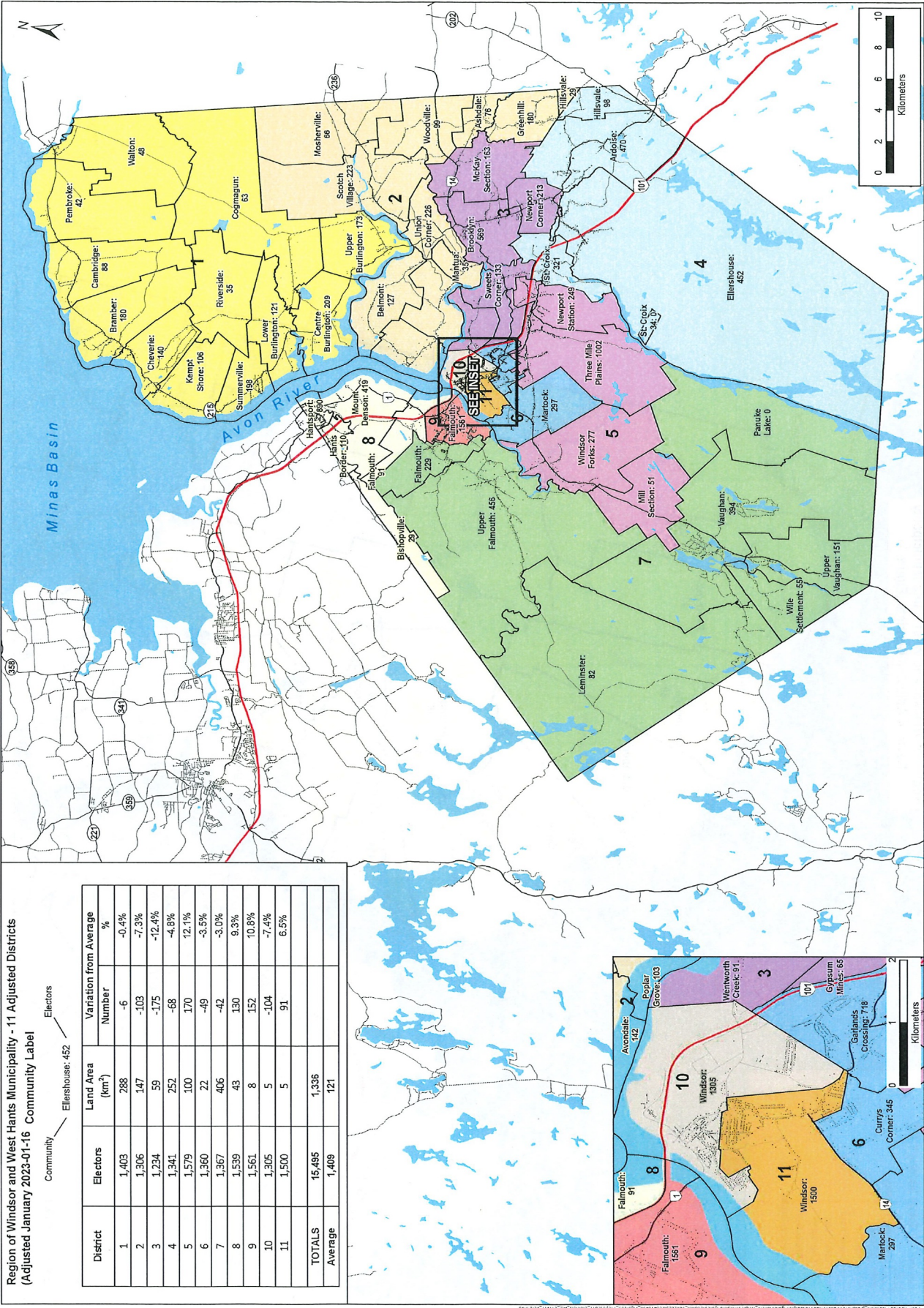
The West Hants Regional Municipality filed an application under s. 369 of the *Municipal Government Act* and the Board issued its decision on August 10, 2023;

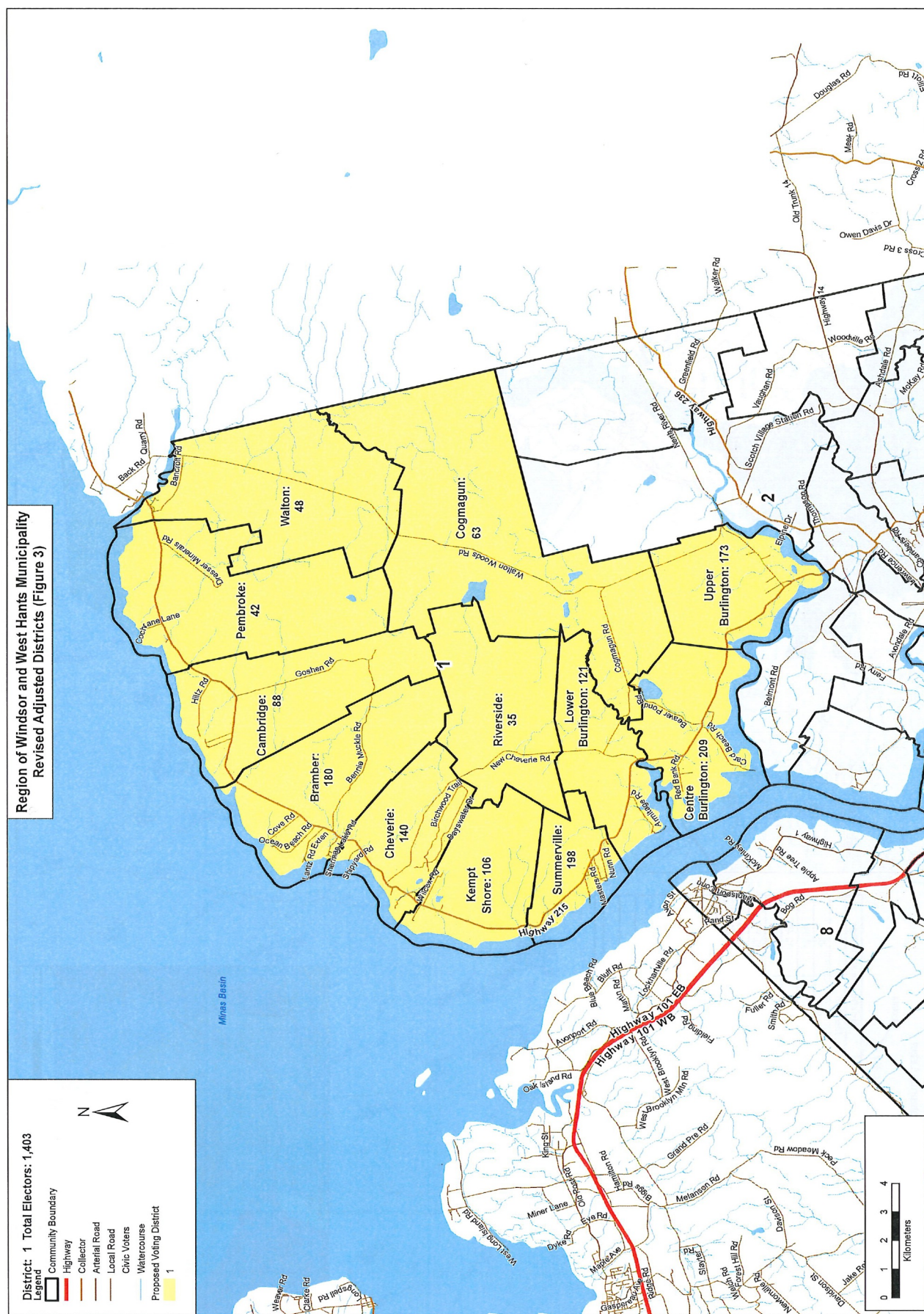
The Board approves the application and orders that:

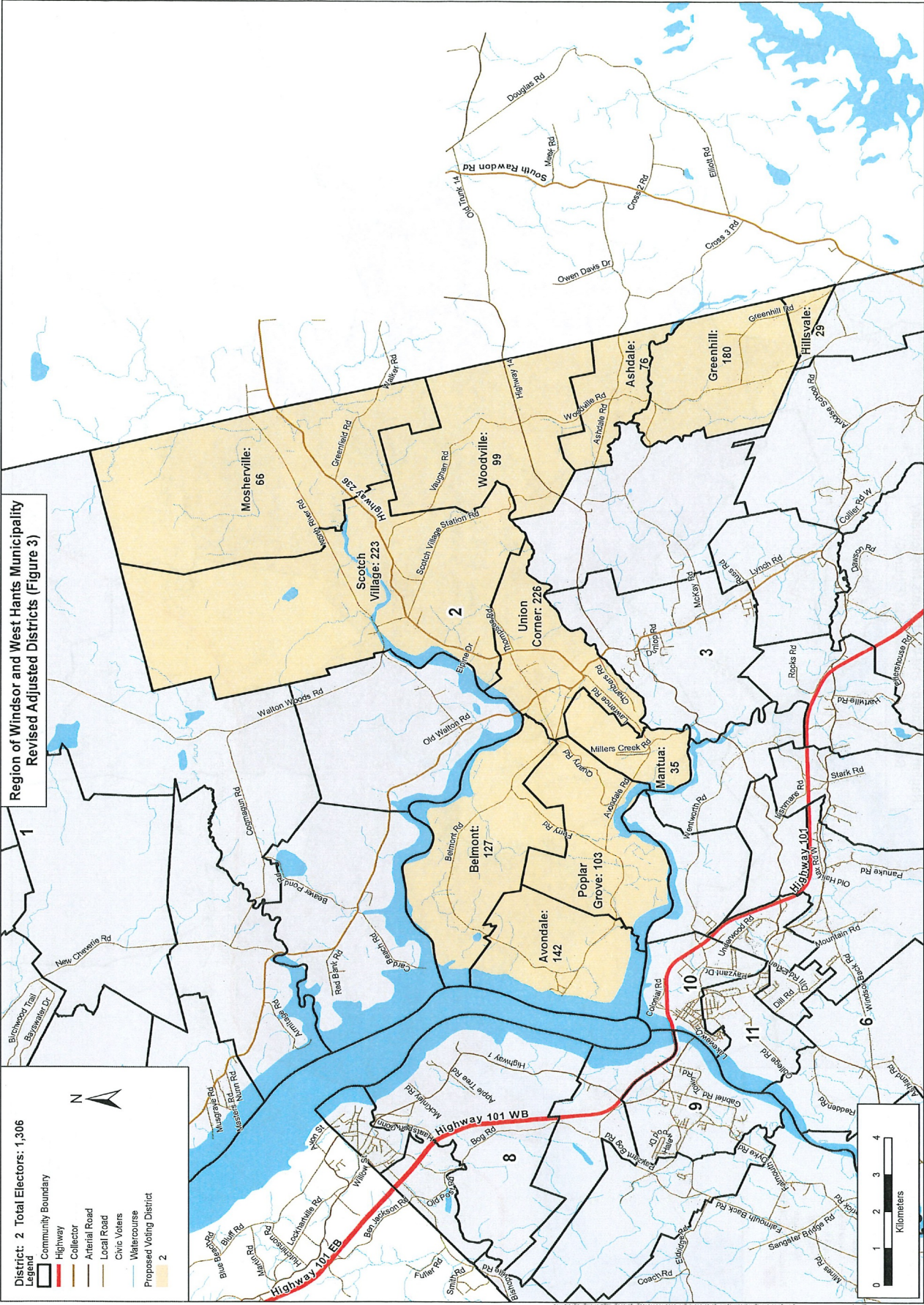
1. The number of polling districts for the Municipality is set at eleven (11);
2. The number of councillors is set at eleven (11);
3. The boundaries of the polling districts are approved as outlined in the application and as shown on the digital maps attached to this order; and
4. All provisions of the *Municipal Government Act* and the *Municipal Elections Act* and any other Acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of councillors of the Municipality in the year 2024 will be complied with as if the above-noted changes had been made on the first day of March, 2024, but for all other purposes, such changes shall take effect on the first day of the first meeting of the Council after the election of councillors for the year 2024.

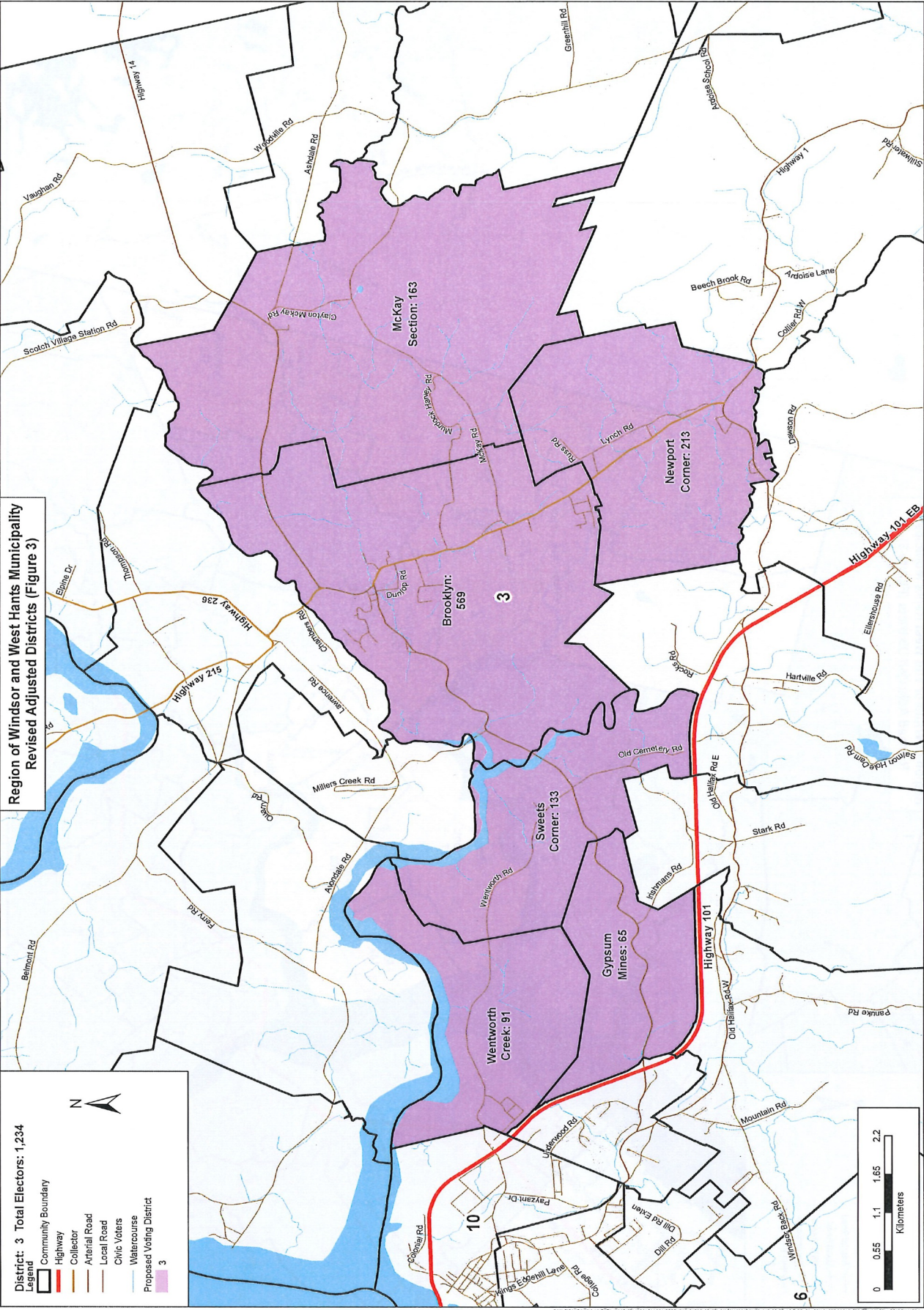
Dated at Halifax, Nova Scotia, this 10th day of August, 2023.

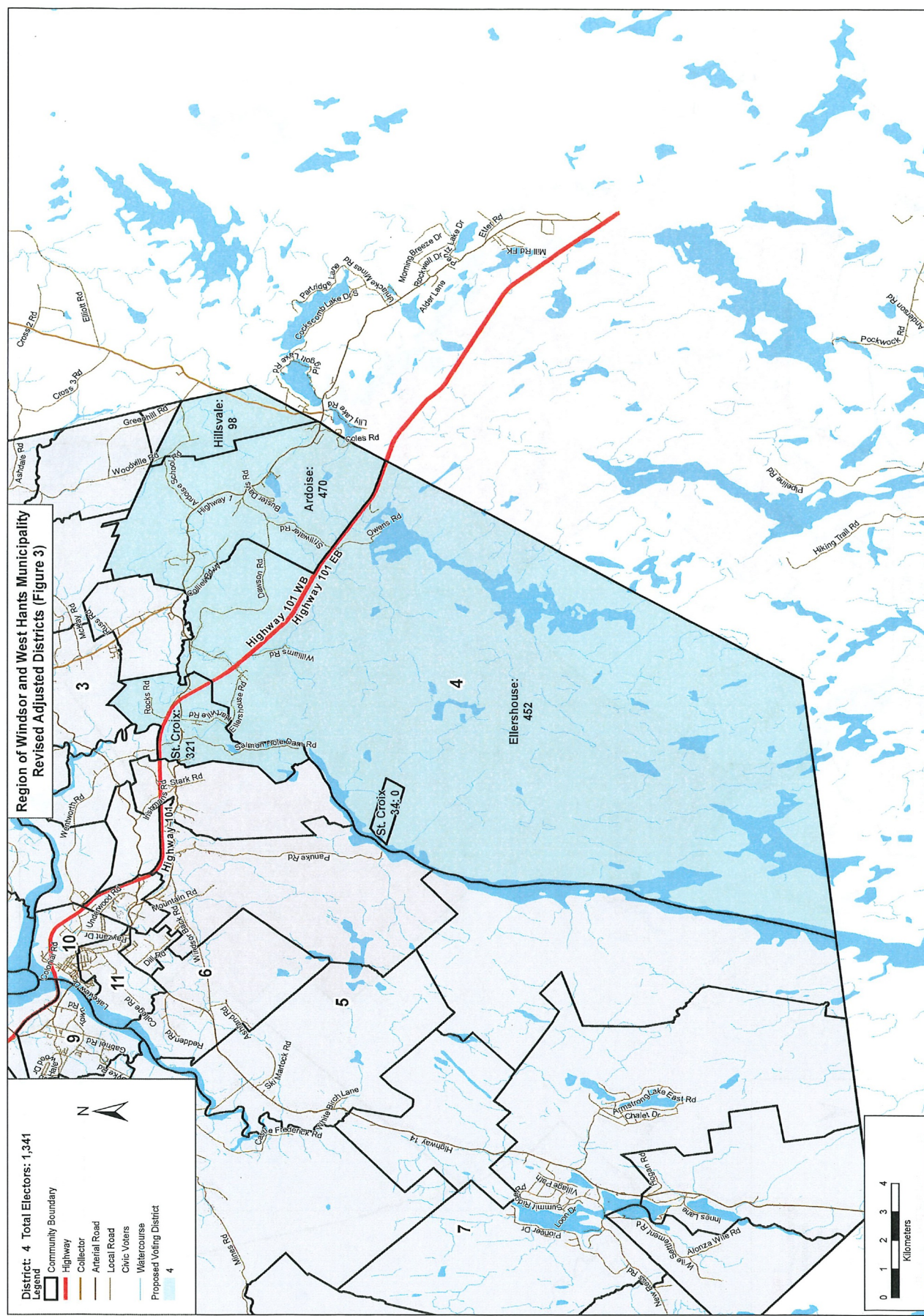
sgd. *Bruce A. Kiley*
Chief Clerk of the Board

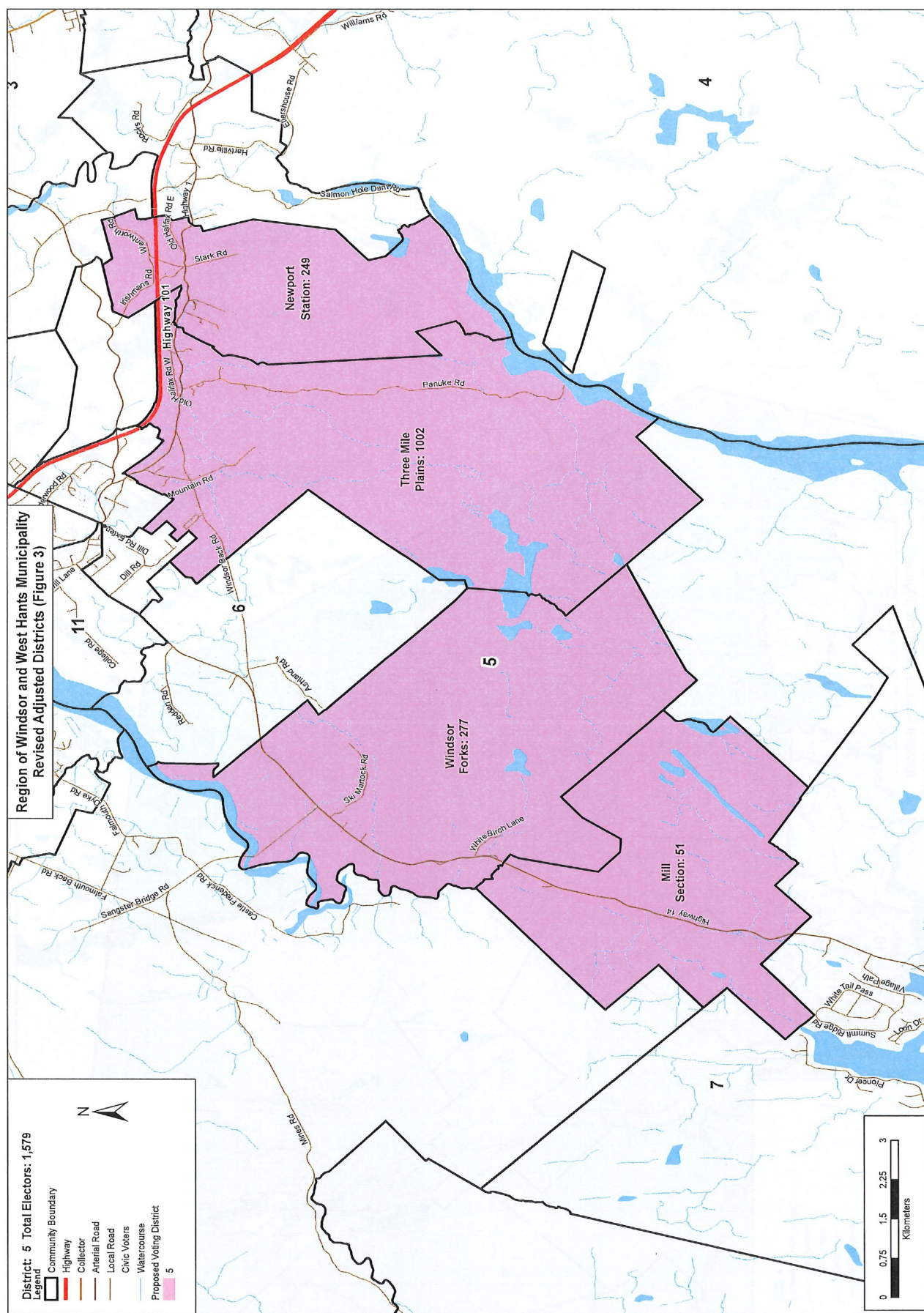


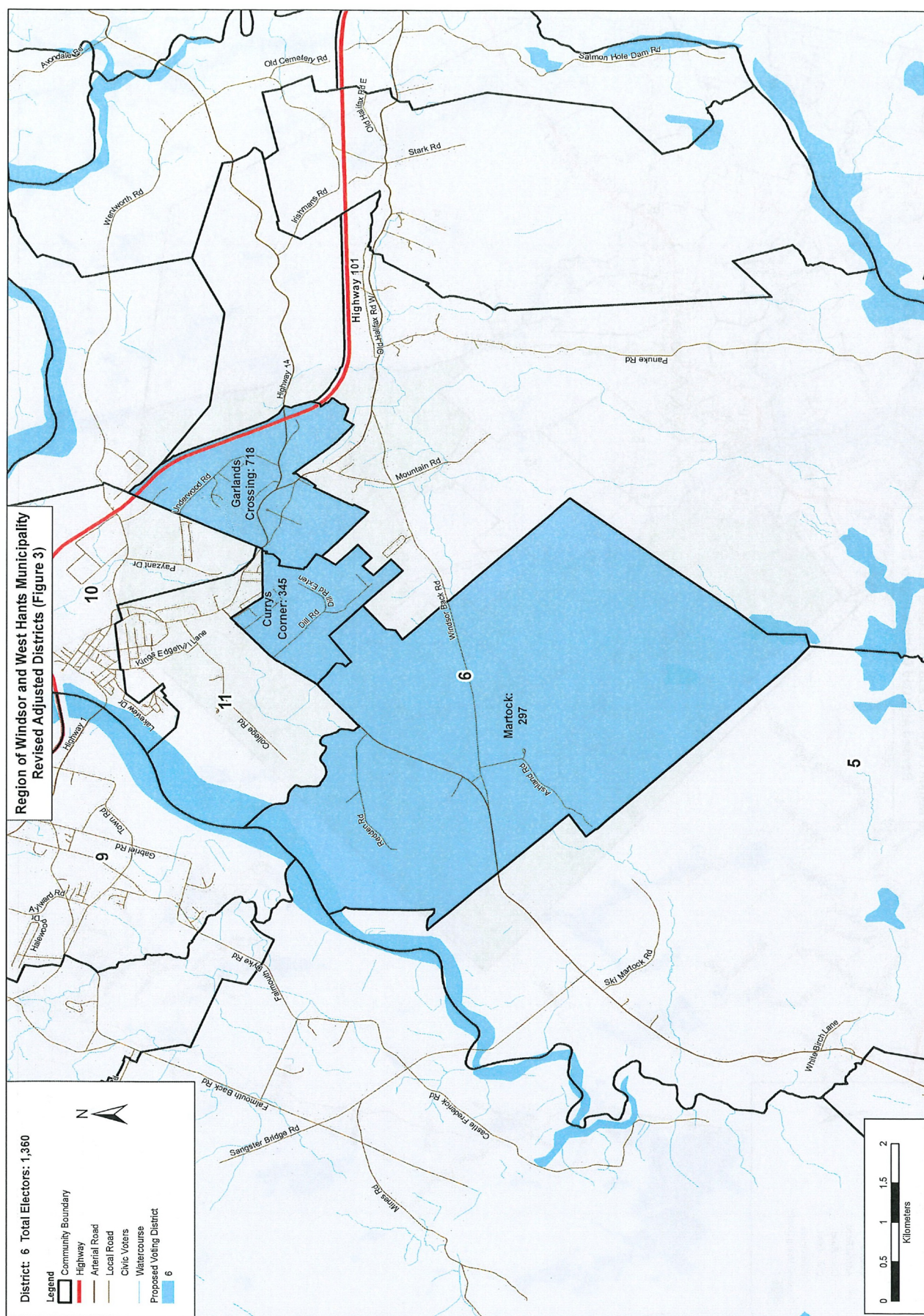


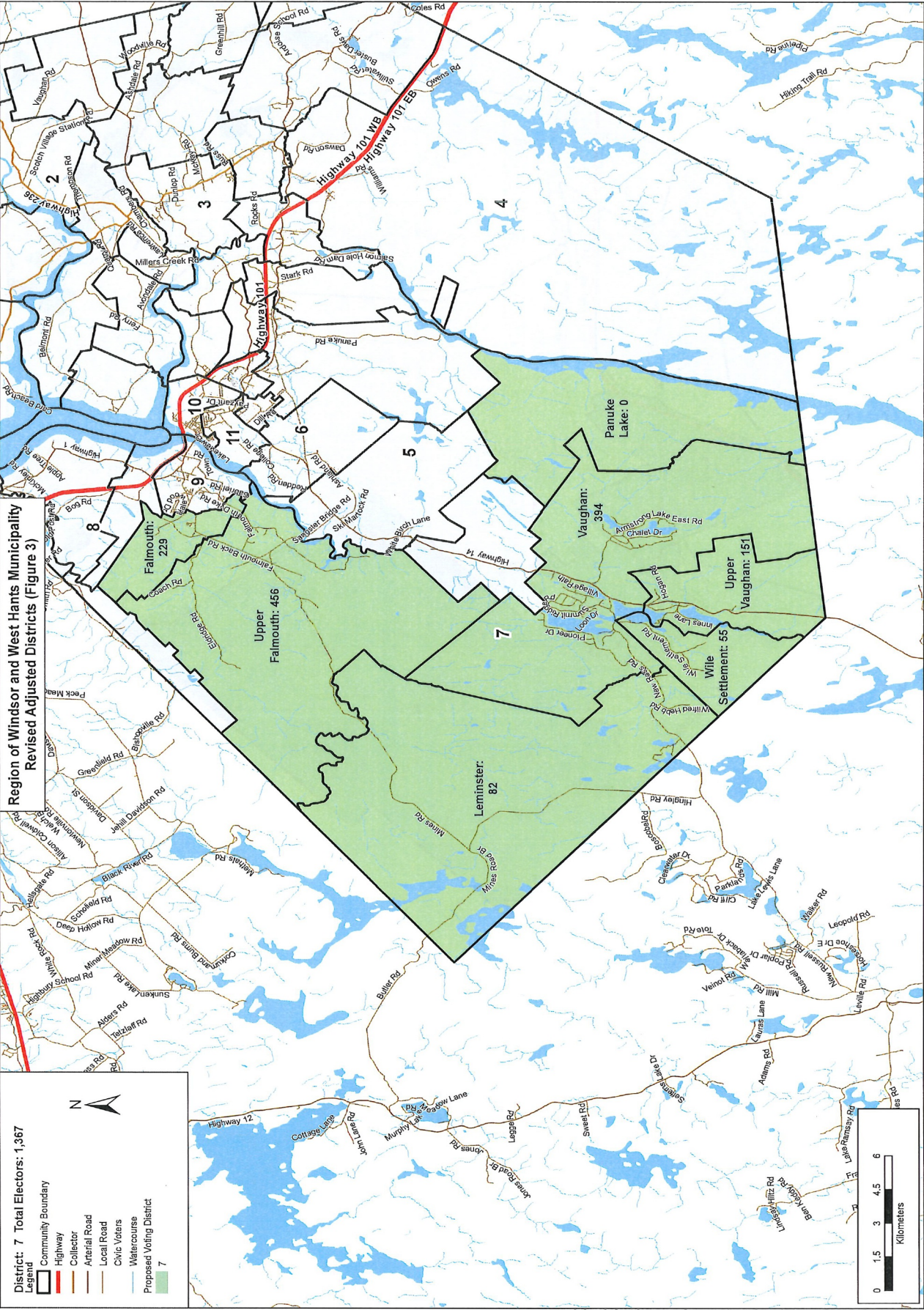


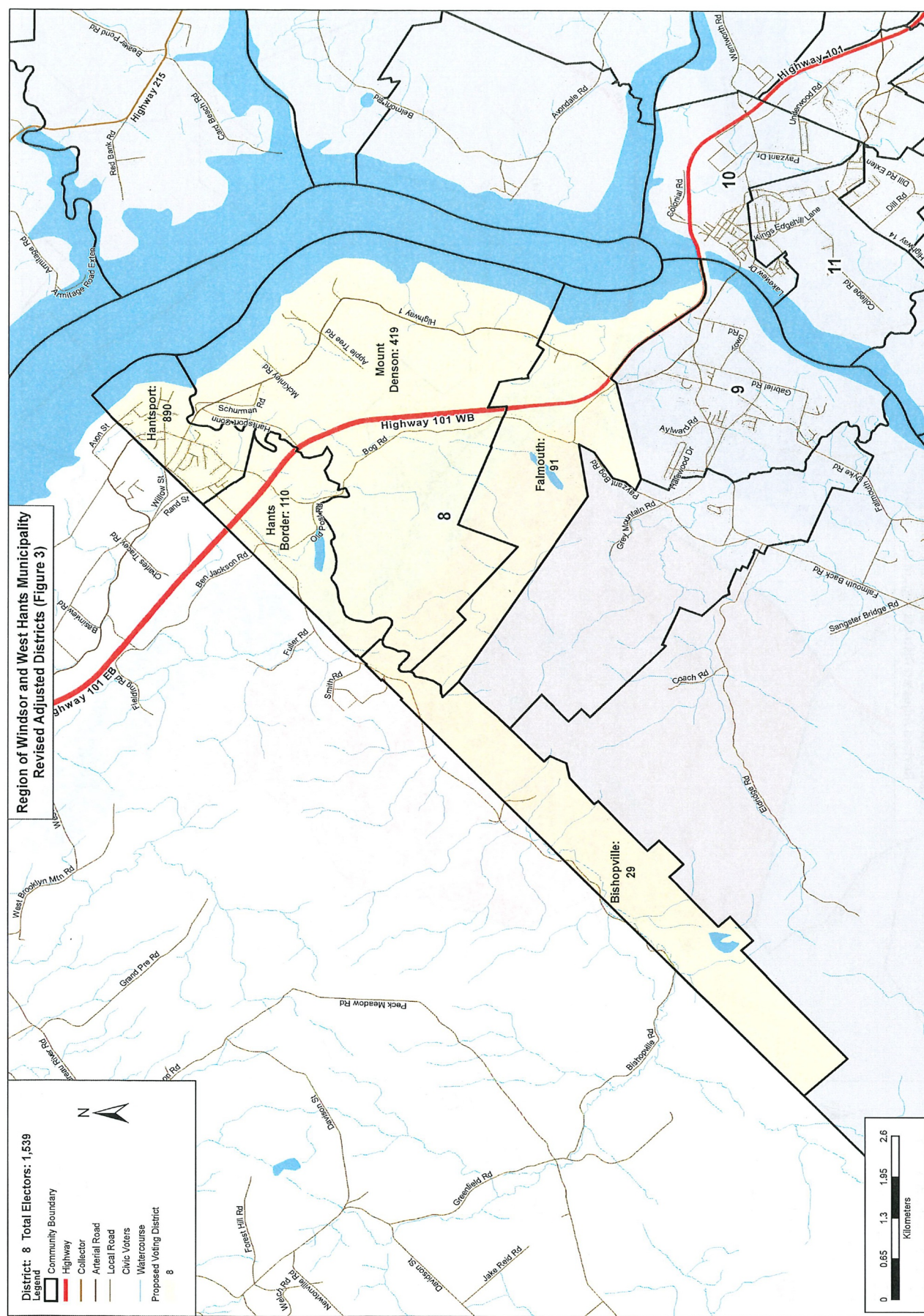


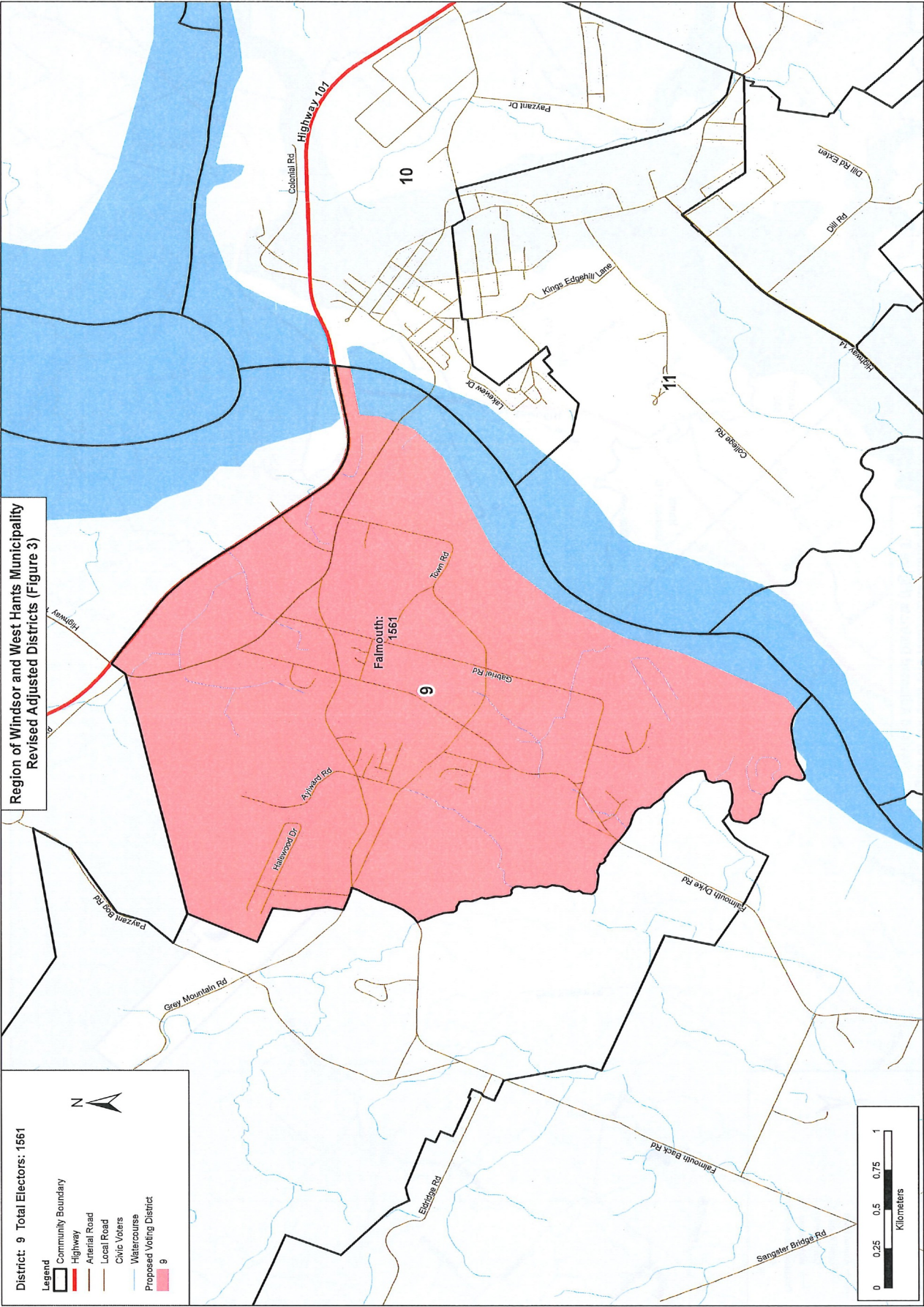


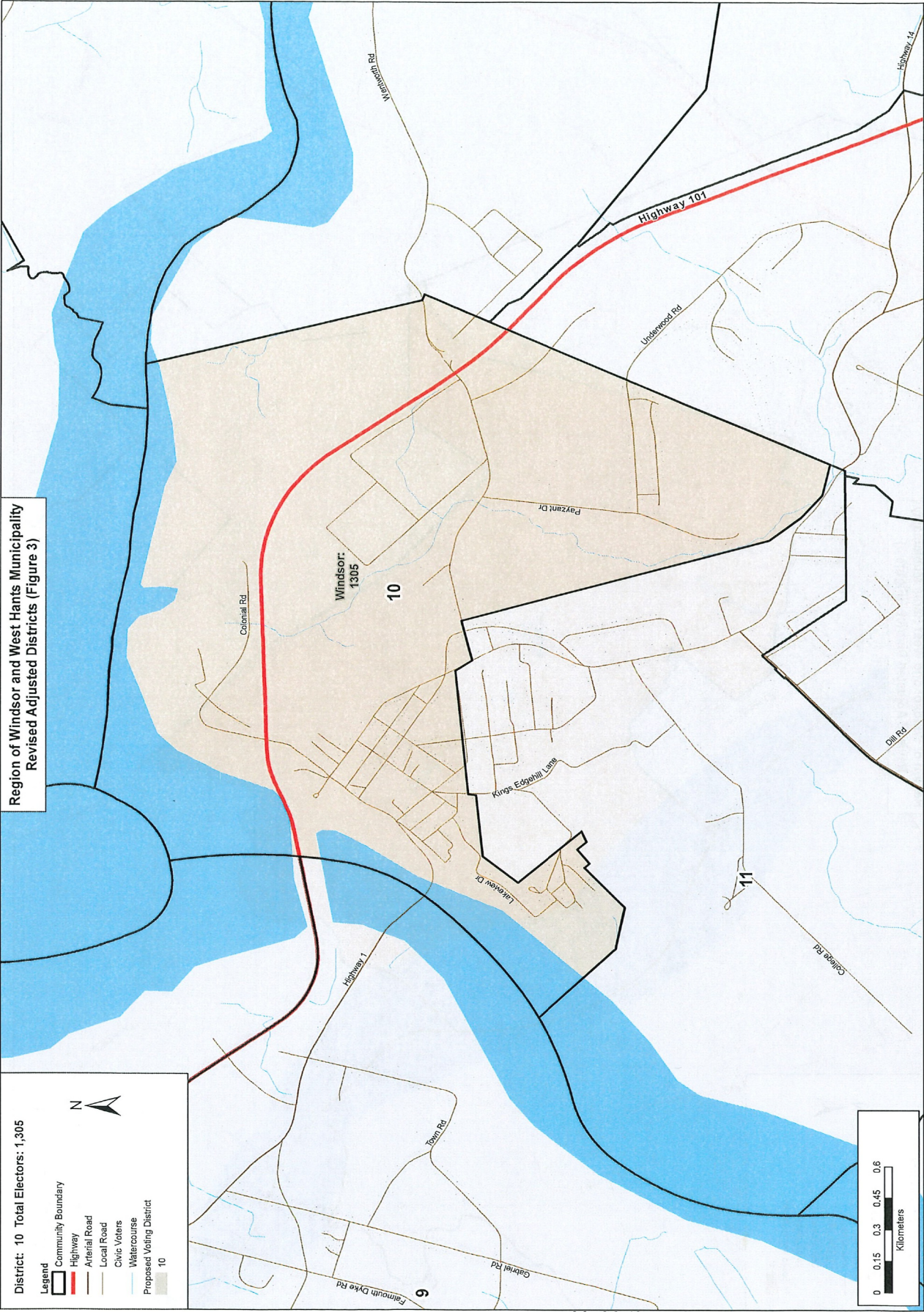


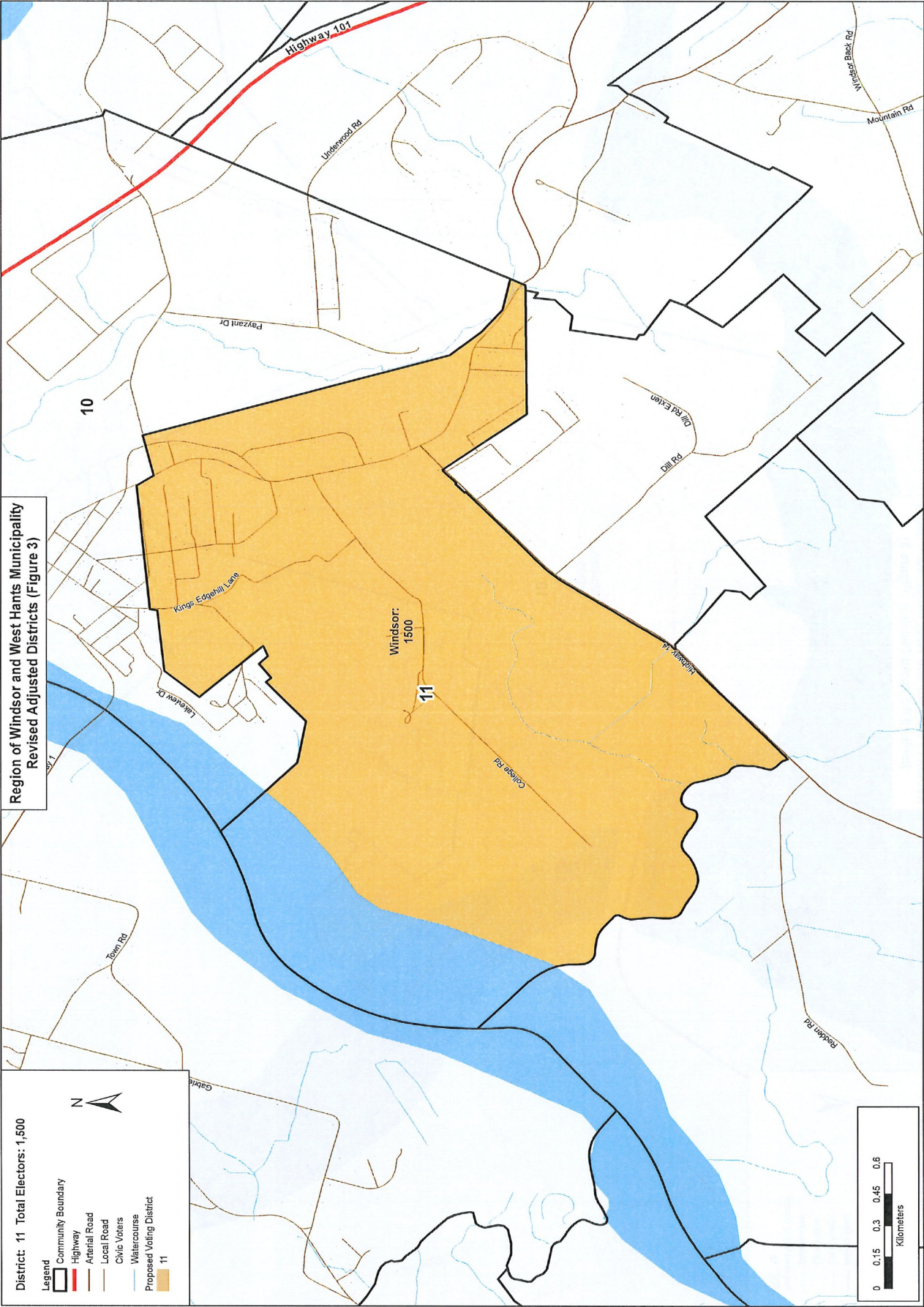












N.S. Reg. 148/2023

Made: August 9, 2023

Filed: August 16, 2023

Polling District Order: Municipality of the County of Victoria

Order dated August 9, 2023

made by the Nova Scotia Utility and Review Board
pursuant to Section 369 of the *Municipal Government Act***Order****M10901****Nova Scotia Utility and Review Board****In the matter of the *Municipal Government Act*****- and -****In the matter of an application** by the **Municipality of the County of Victoria** to confirm the number of councillors and to alter the boundaries of polling districts**Before:** Roland A. Deveau, K.C., Vice Chair
Steve M. Murphy, MBA, P.Eng., Member
Bruce H. Fisher, MPA, CPA, CMA, Member**Order**The Municipality of the County of Victoria applied under s. 369 of the *Municipal Government Act* and the Board issued its written decision on May 3, 2023;**The Board approves the application and orders that:**

1. The number of councillors and polling districts is set at eight (8);
2. The written descriptions of the eight (8) polling districts are set out in Schedule “A”, attached to and forming part of this order;
3. The maps of the eight (8) polling districts are set out in Schedule “B”, attached to and forming part of this order; and
4. All provisions of the *Municipal Government Act* and the *Municipal Elections Act* and any other Acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of councillors of the Municipality in the year 2024 will be complied with as if the above-noted changes had been made on the first day of March, 2024, but for all other purposes, such changes shall take effect on the first day of the first meeting of the Council after the election of councillors for the year 2024.

Dated at Halifax, Nova Scotia, this 9th day of August, 2023.sgd. Bruce A. Kiley
Clerk of the Board

Schedule “A”**District 1**

Iona Peninsula, communities of Bucklaw and Wagmatcook and Nyanza to the Yankee Line Road intersection on the north and south side of the TCH (Trans-Canada Highway).

District 2

Westside Middle River, Yankee Line and Middle River to county line. Big Baddeck including residents along the Buckwheat Road and along the north side of the TCH from the Yankee Line Road east to the point where districts two, three and four intersect. On the south side of the TCH from the Baddeck River Bridge east to just before 221 Shore Road.

District 3

Starting at western side at Alderwood Lane (221 Shore Road) east along the shores of the Bras d’Or Lakes to 1031 Hwy 205 which encompasses Crescent Grove Road. Bordered by the TCH on the northern side where Hwy 205 meets Hwy 105 west.

District 4

Beginning at 1031 Hwy 205, northeast, including the remainder of Baddeck Bay, Big Harbour, Englishtown. Exit 11 on TCH north to the foot of Cape Smokey including River Bennet and Jersey Cove.

District 5

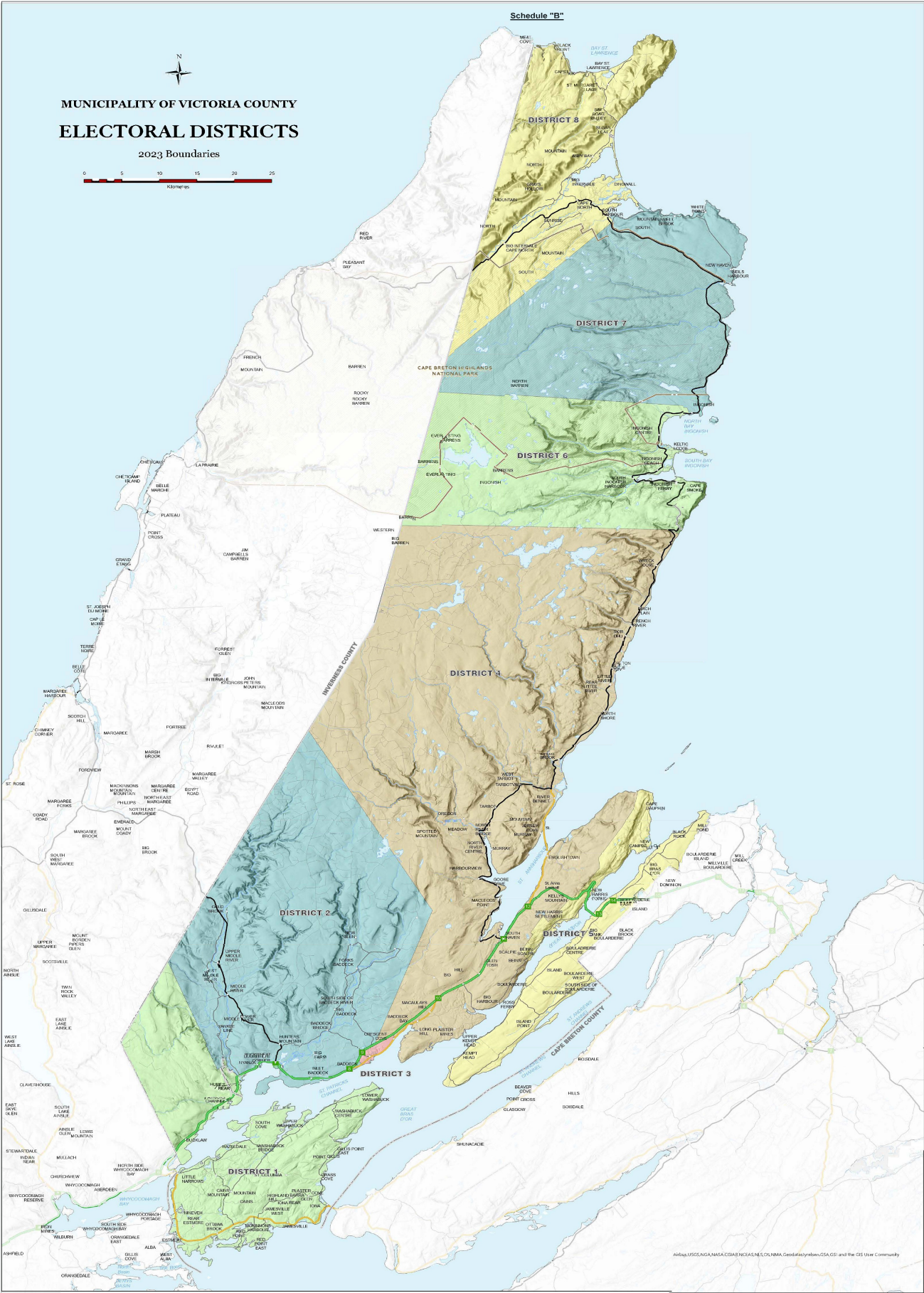
Victoria County portion of Boularderie Island and New Harris Settlement north to Cape Dauphin.

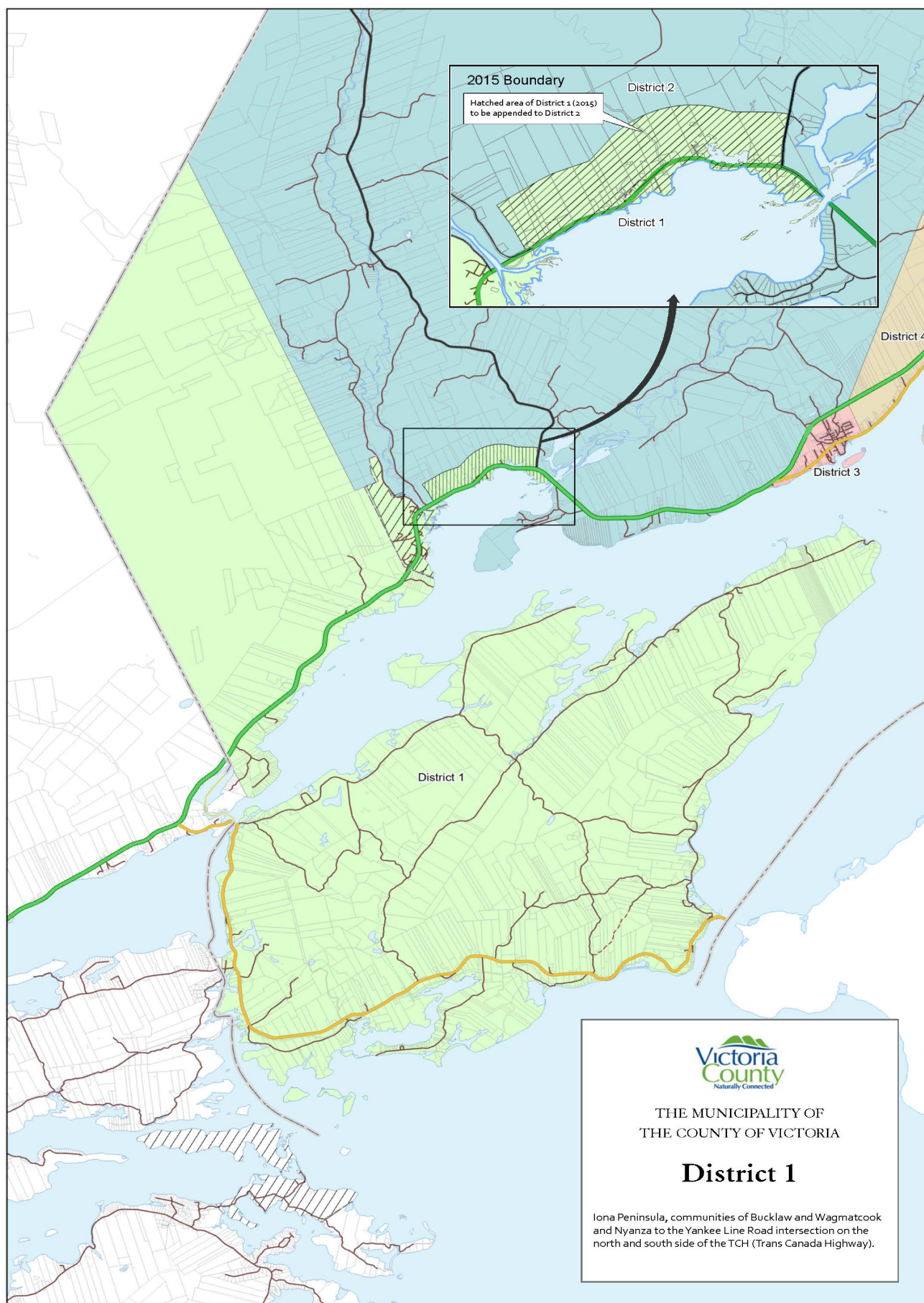
District 7

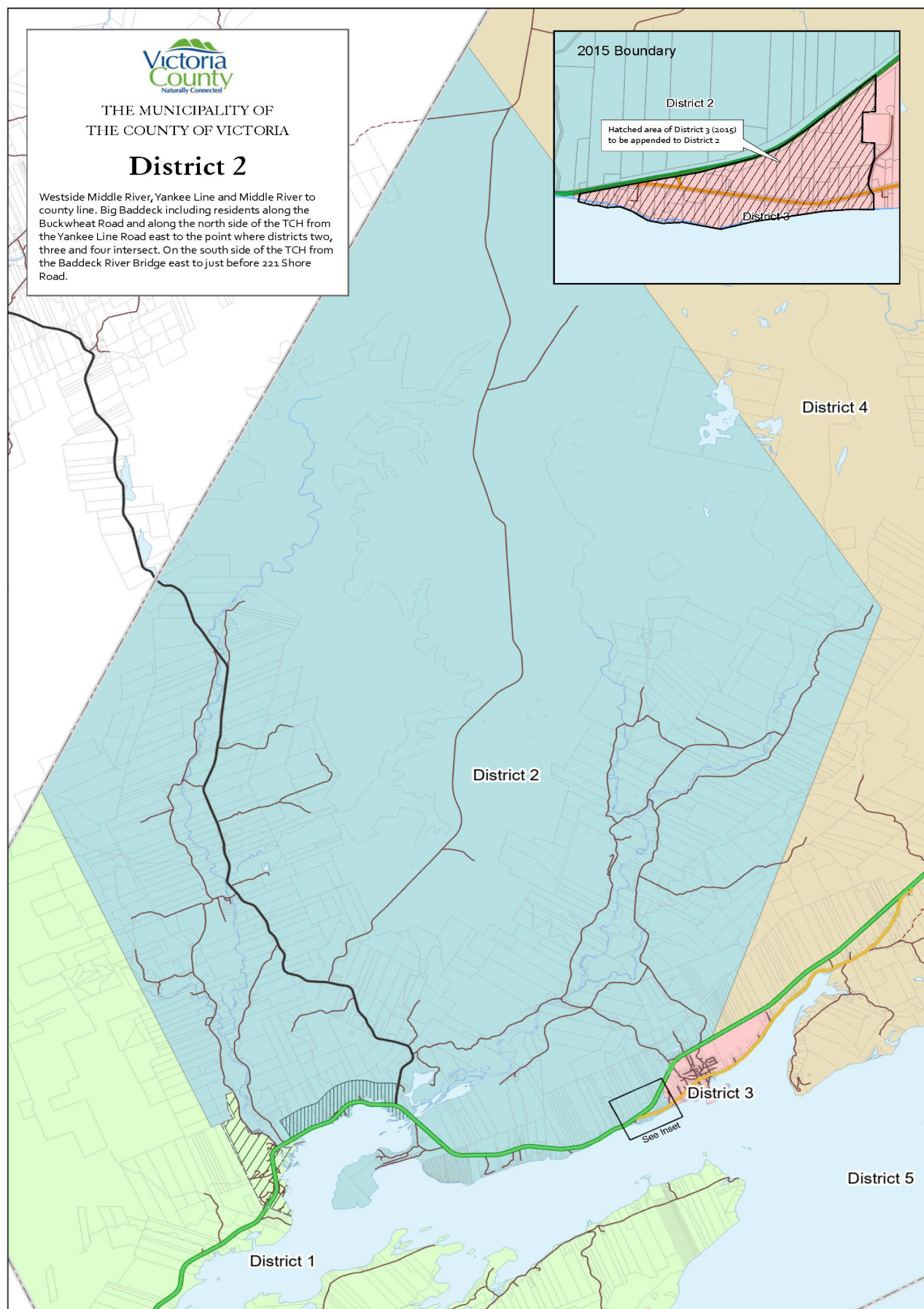
36068 Cabot Trail north to Aspy Bridge including Neil’s Harbour, New Haven, White Point, Smelt Brook.

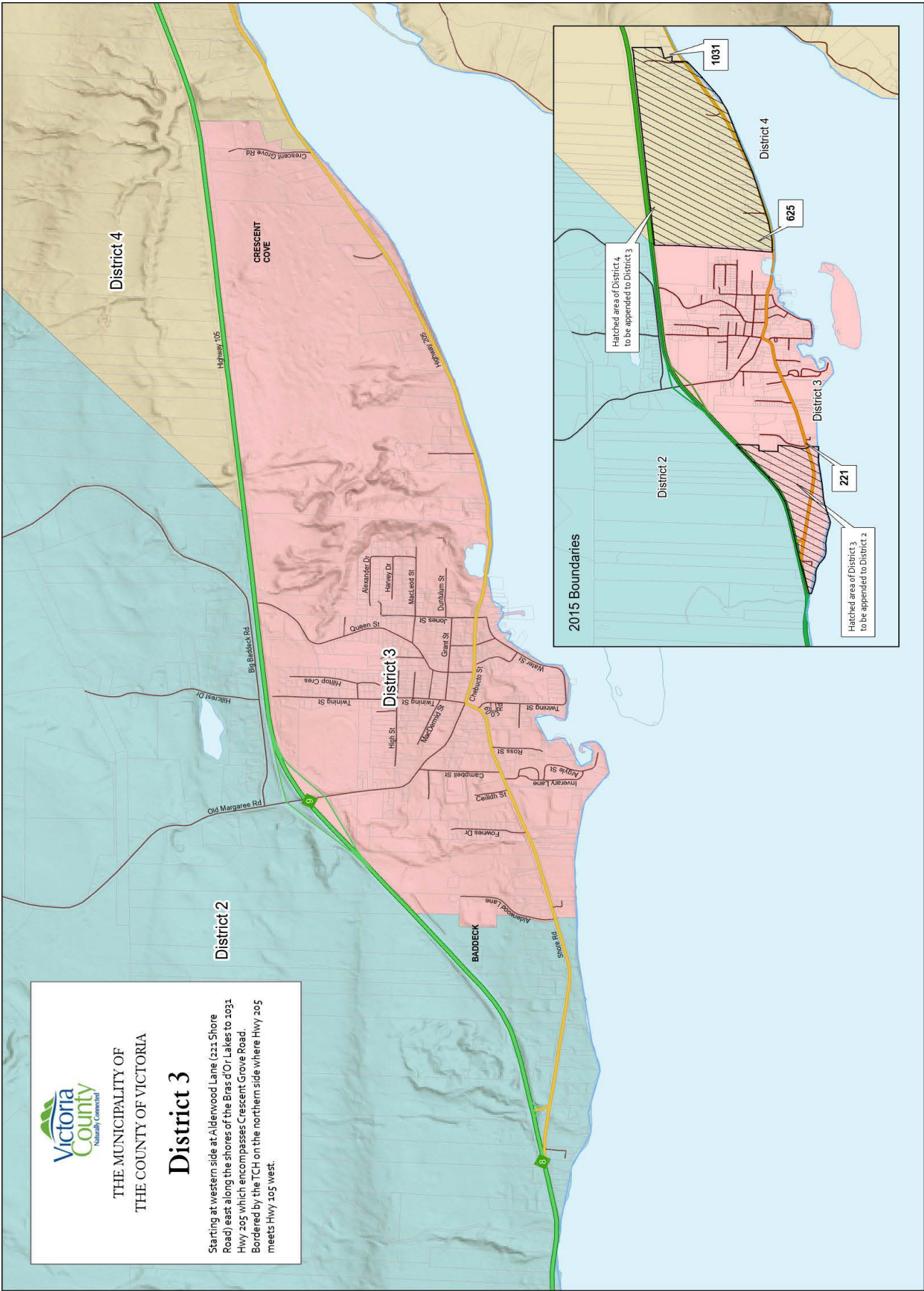
District 8

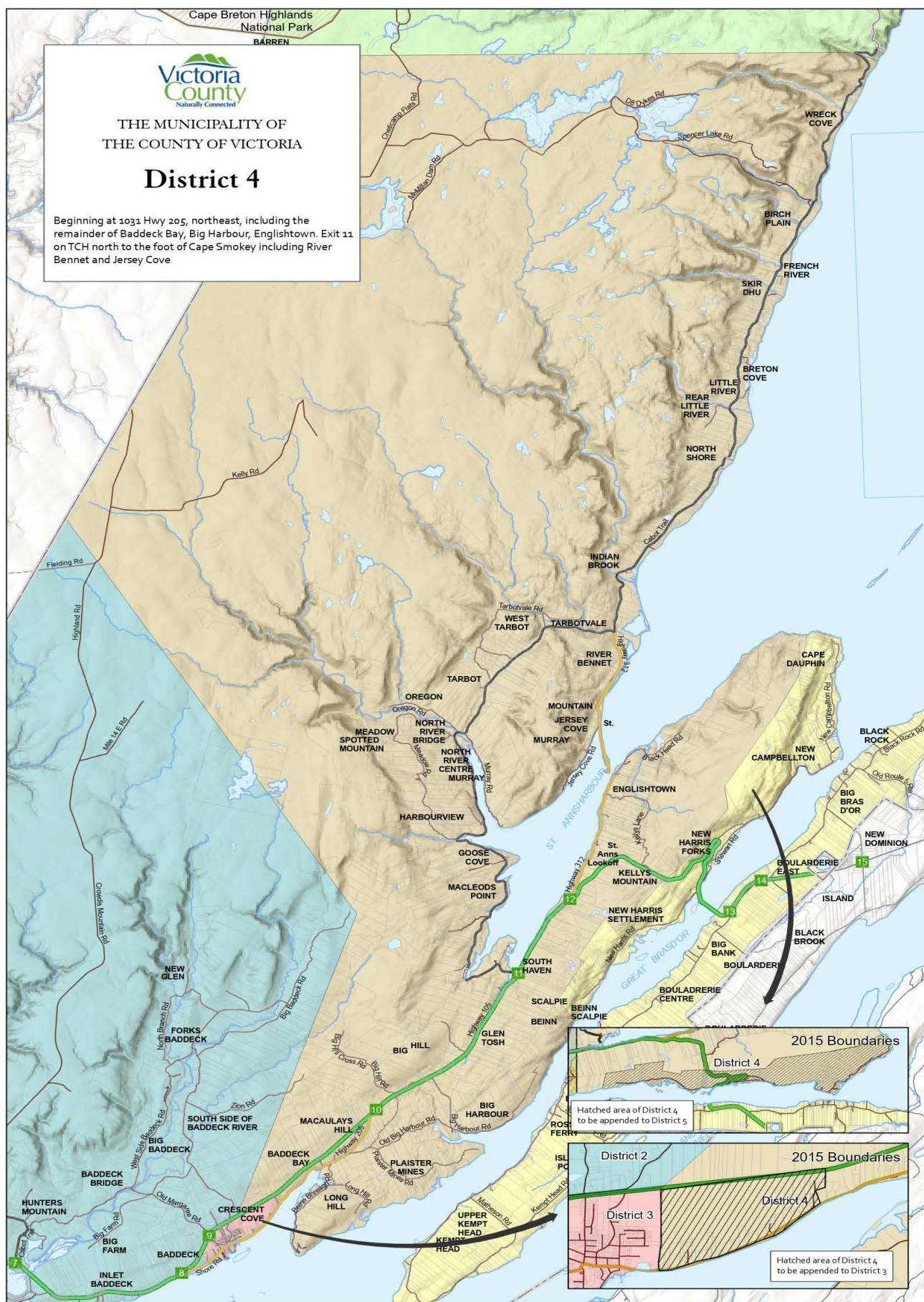
All of Victoria County north of the Aspy Bridge.

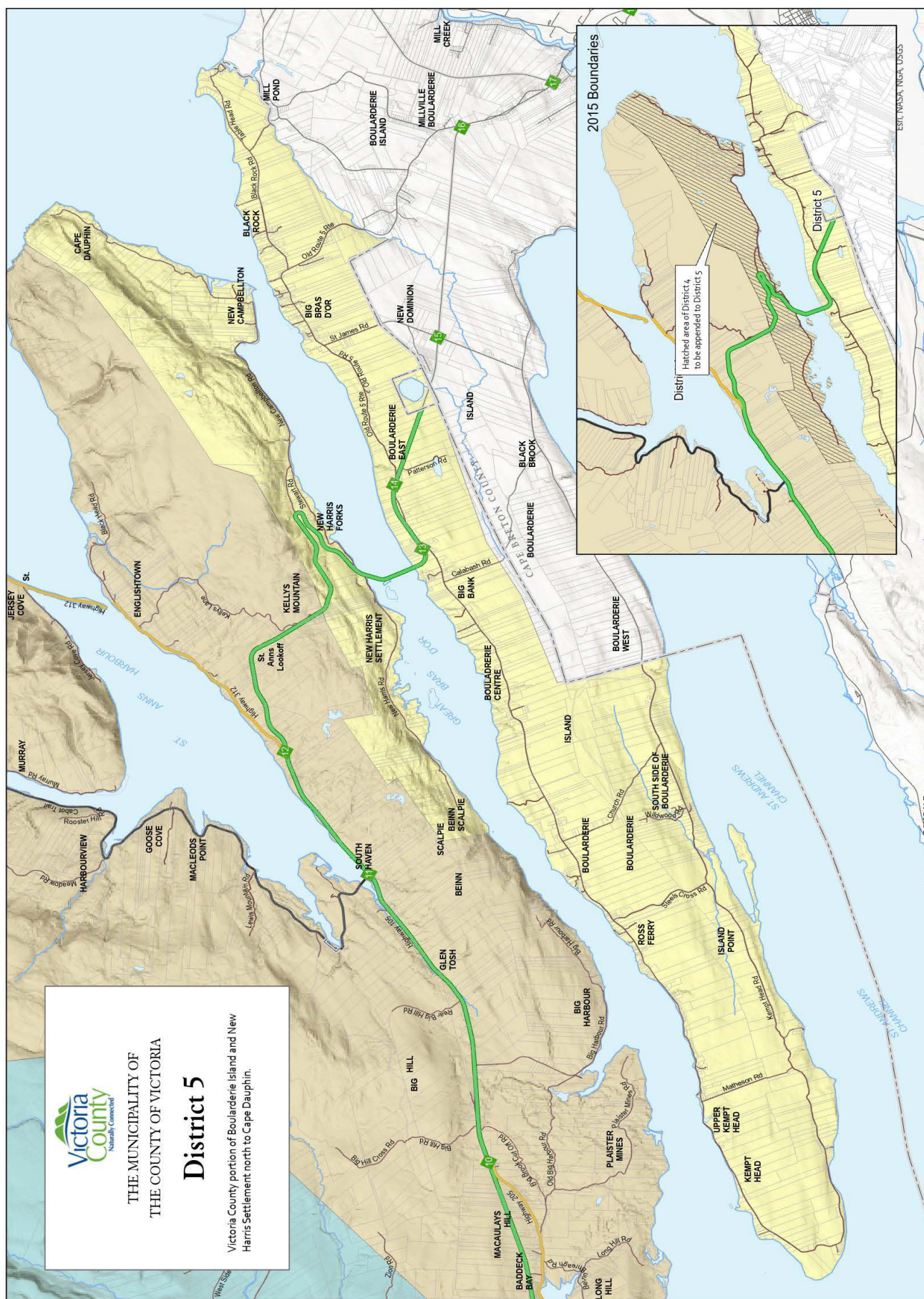


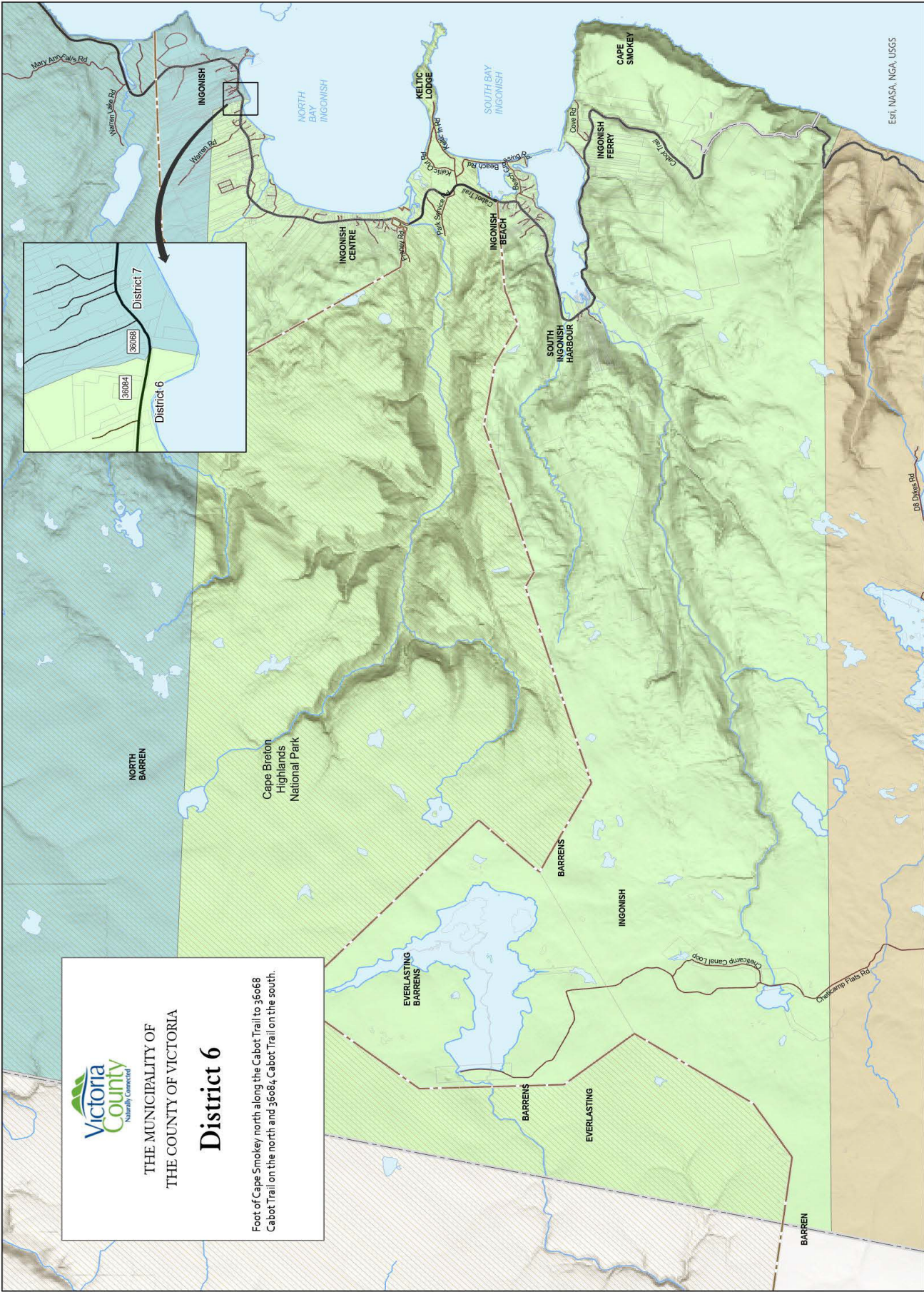


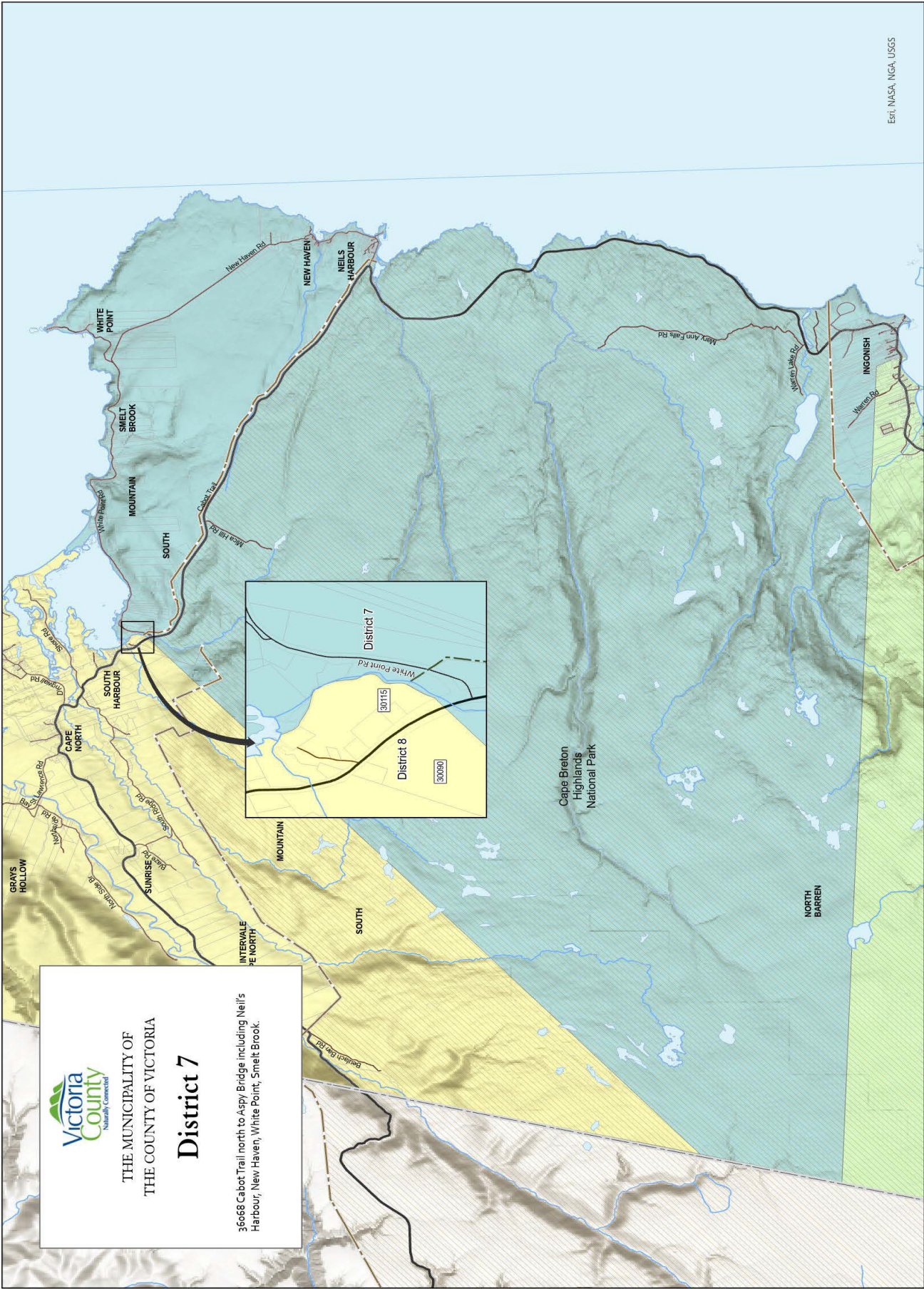














N.S. Reg. 149/2023

Made: May 24, 2023

Filed: August 16, 2023

Number of Councillors Order: Town of Shelburne

Order dated May 24, 2023
made by the Nova Scotia Utility and Review Board
pursuant to Section 369 of the *Municipal Government Act*

Order

M10797

Nova Scotia Utility and Review Board

In the matter of the *Municipal Government Act*

- and -

In the matter of an application by the **Town of Shelburne** to confirm the number of councillors

Before: Richard J. Melanson, LL.B., Member

Order

The Town of Shelburne made an application under s. 369 of the *Municipal Government Act* and the Board issued its written decision on May 24, 2023.

The Board approves the application and orders that the number of councillors for the Town is confirmed at four (4), to be elected at-large.

Dated at Halifax, Nova Scotia, this 24th day of May, 2023.

sgd. *Bruce A. Kiley*
Chief Clerk of the Board

N.S. Reg. 150/2023

Made: August 9, 2023

Filed: August 16, 2023

Polling District Order: Cape Breton Regional Municipality

Order dated August 9, 2023
made by the Nova Scotia Utility and Review Board
pursuant to Section 369 of the *Municipal Government Act*

Order**M10932****Nova Scotia Utility and Review Board****In the matter of the *Municipal Government Act*****- and -**

In the matter of an application by the **Cape Breton Regional Municipality** to confirm the number of councillors and to alter the boundaries of polling districts

Before: Ronald A. Deveau, K.C., Vice Chair
Steven M. Murphy, MBA, P.Eng., Member
Bruce H. Fisher, MPA, CPA, CA, Member

Order

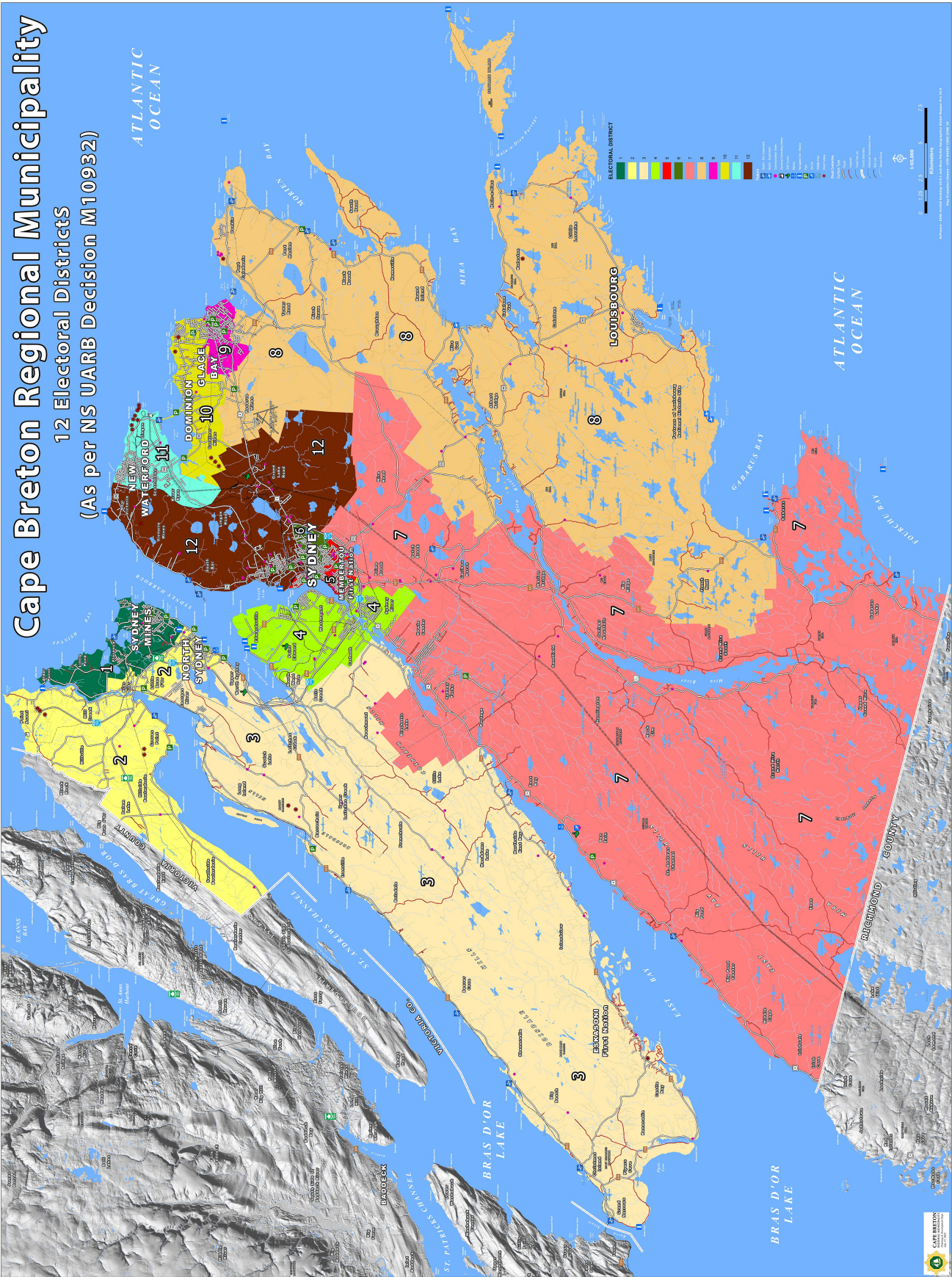
The Cape Breton Regional Municipality filed an application under s. 369 of the *Municipal Government Act* and the Board issued its decision on July 6, 2023;

The Board approves the application and orders that:

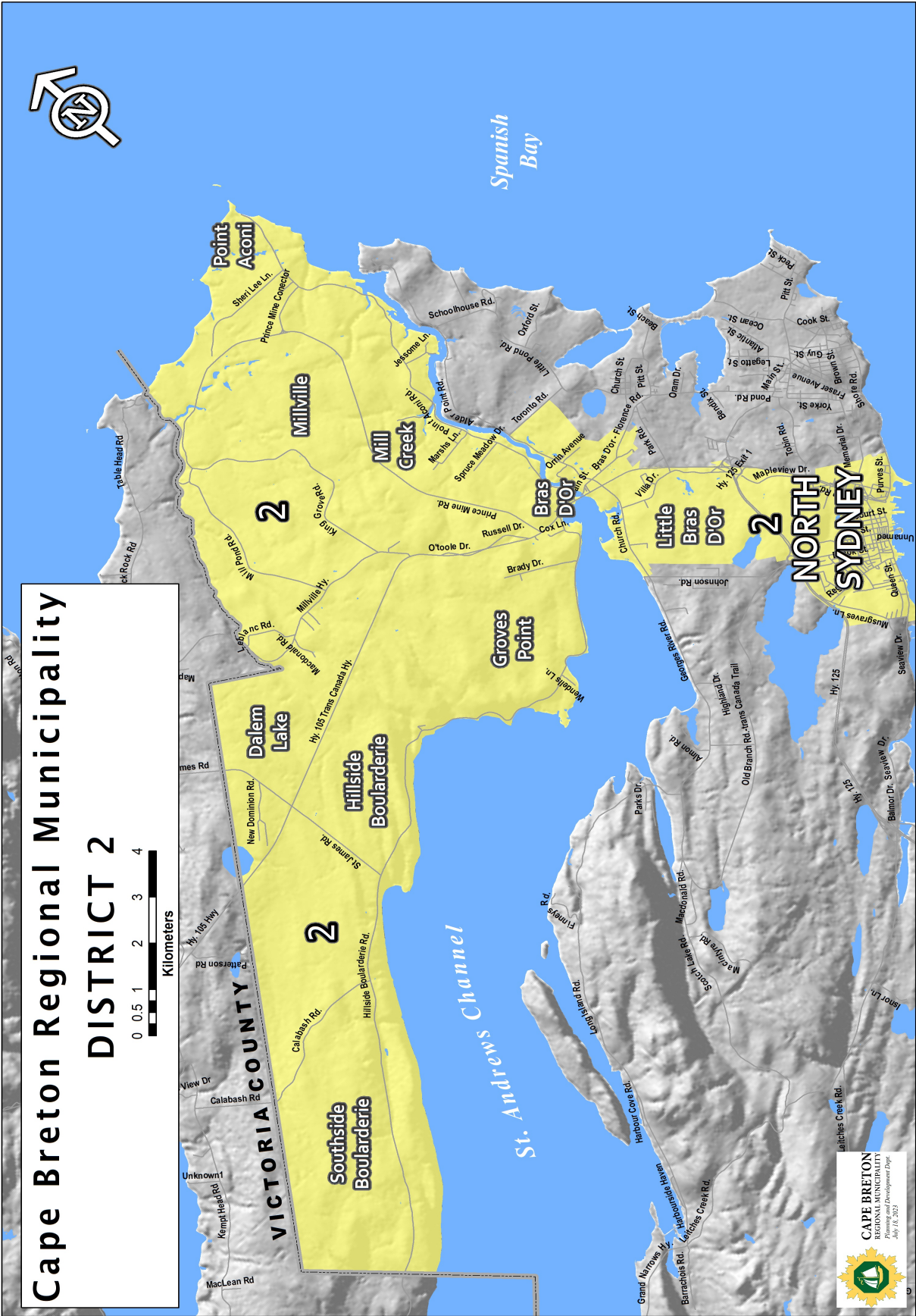
1. The number of polling districts for the Municipality is set at twelve (12);
2. The number of councillors is set at twelve (12);
3. The boundaries of the polling districts are approved as outlined on the descriptions/digital maps attached to this order; and
4. All provisions of the *Municipal Government Act* and the *Municipal Elections Act* and any other Acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of councillors of the Municipality in the year 2024 will be complied with as if the above-noted changes had been made on the first day of March, 2024, but for all other purposes, such changes shall take effect on the first day of the first meeting of the Council after the election of councillors for the year 2024.

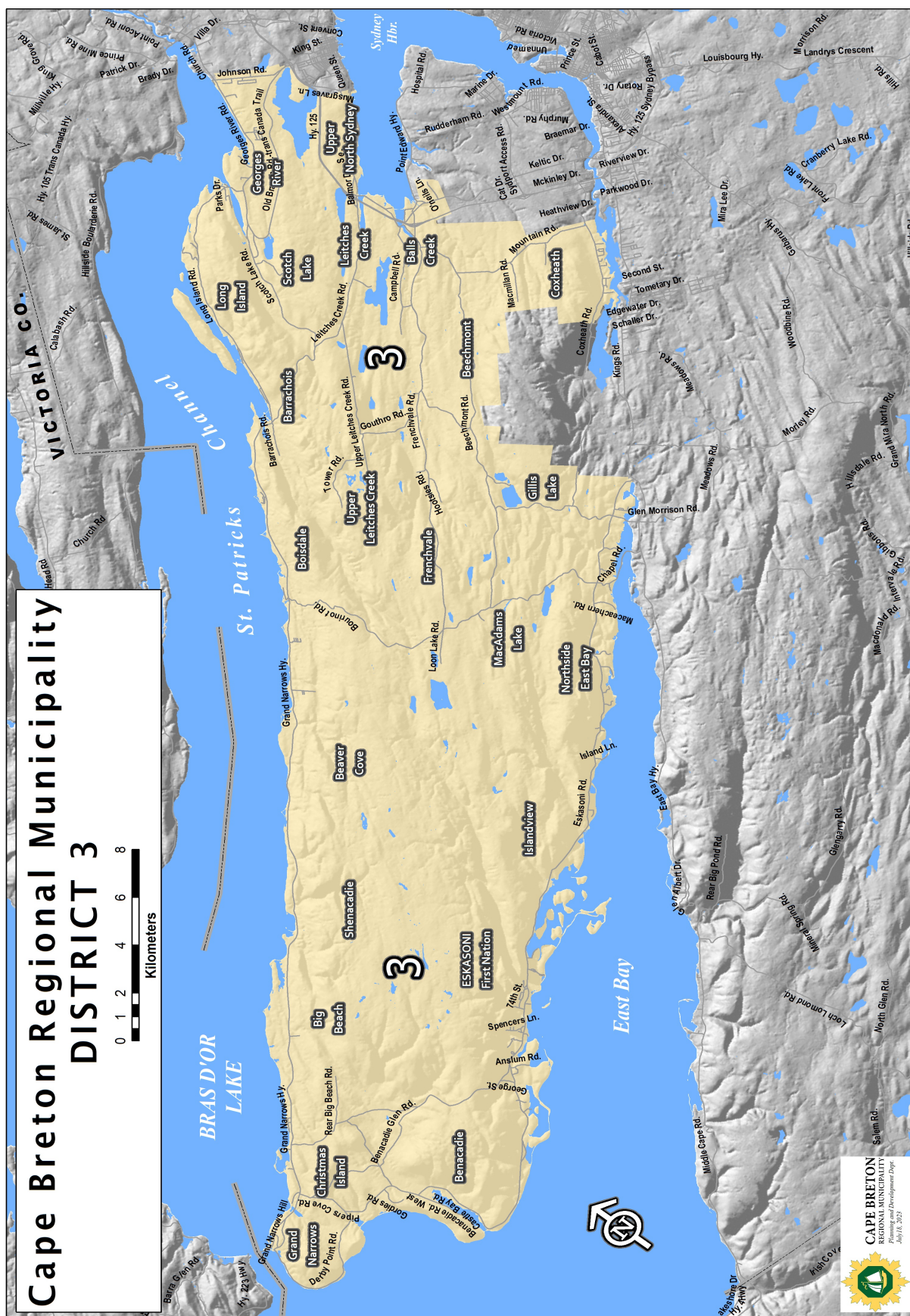
Dated at Halifax, Nova Scotia, this 9th day of August, 2023.

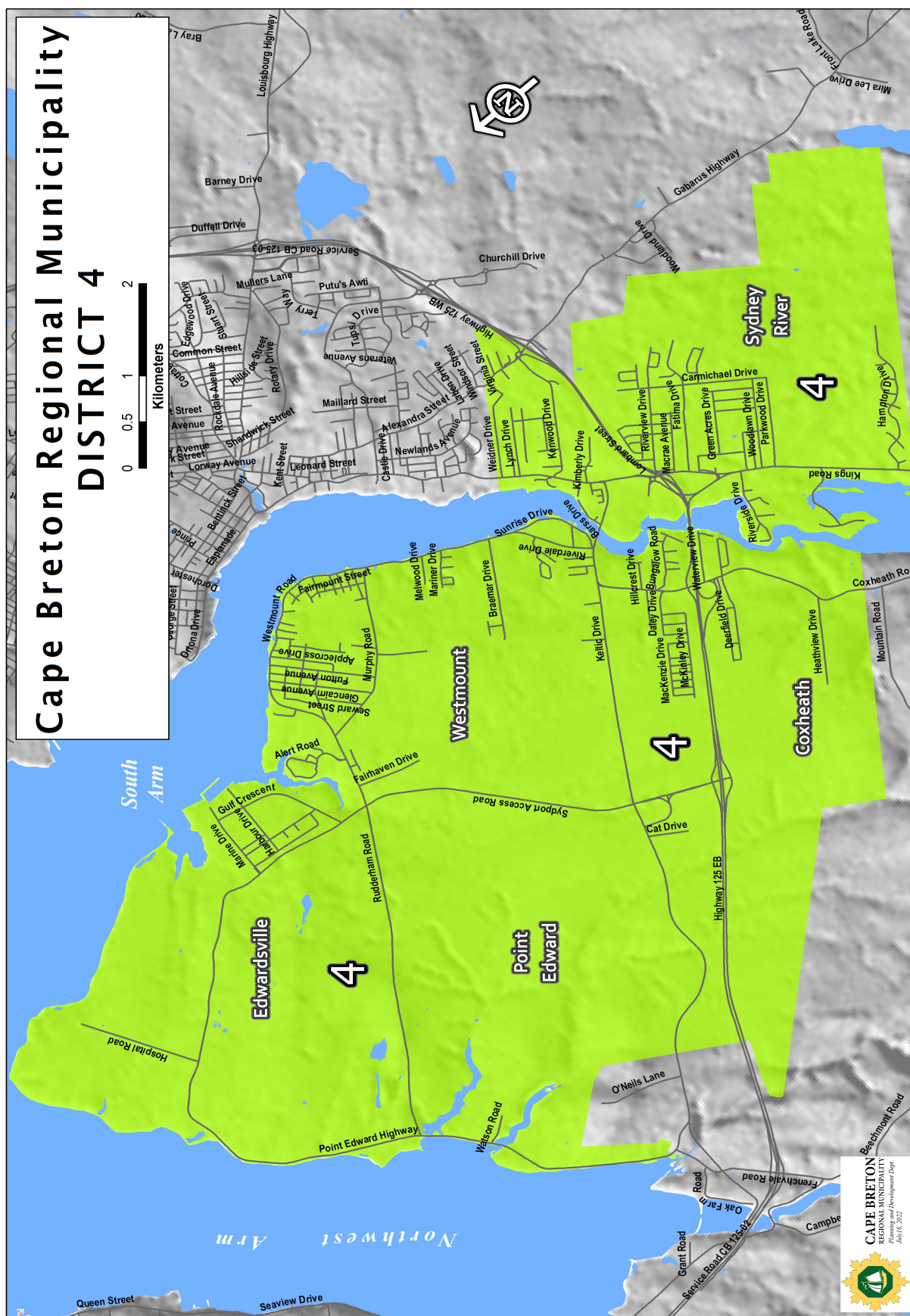
sgd. *Bruce A. Kiley*
Chief Clerk of the Board

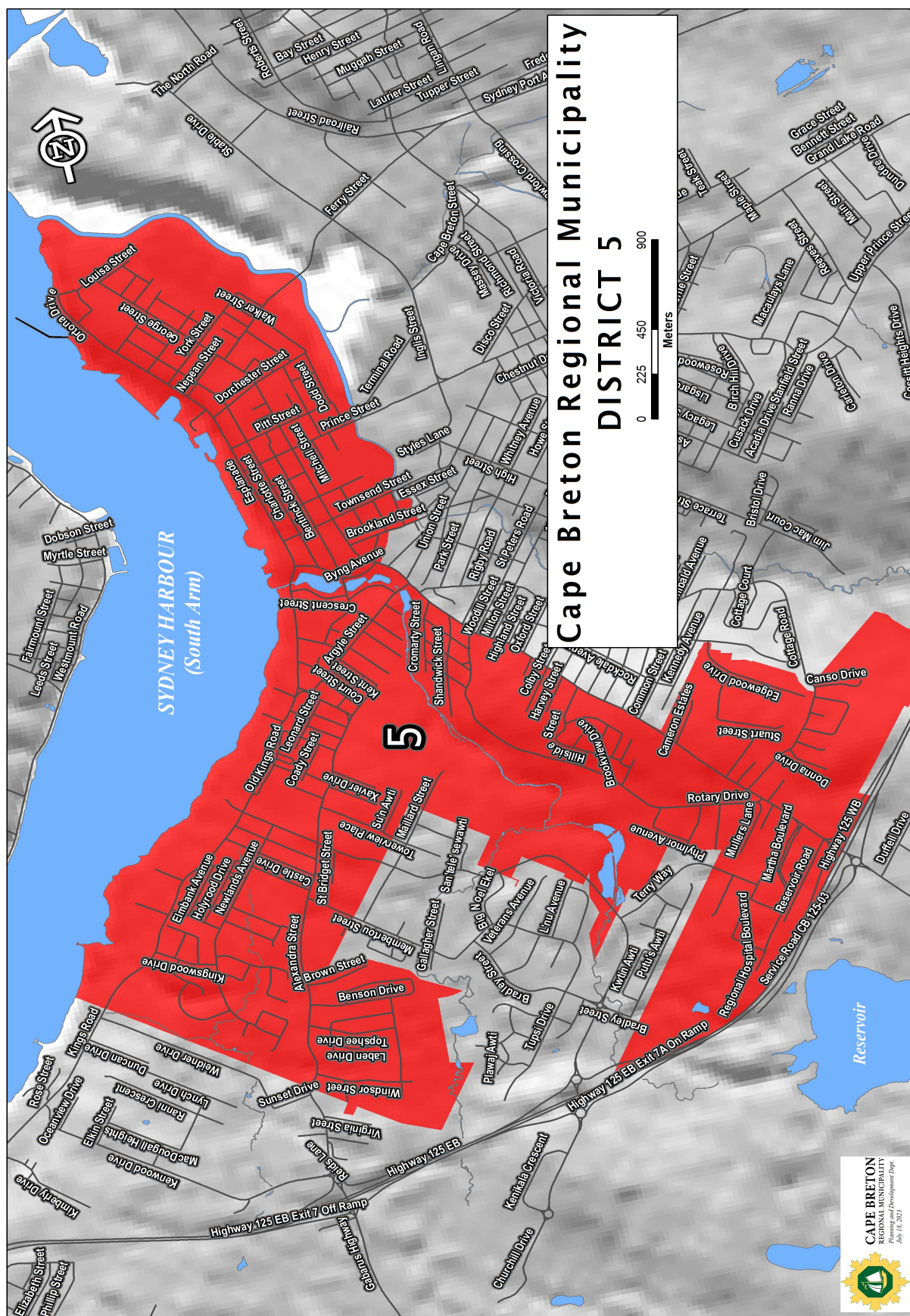




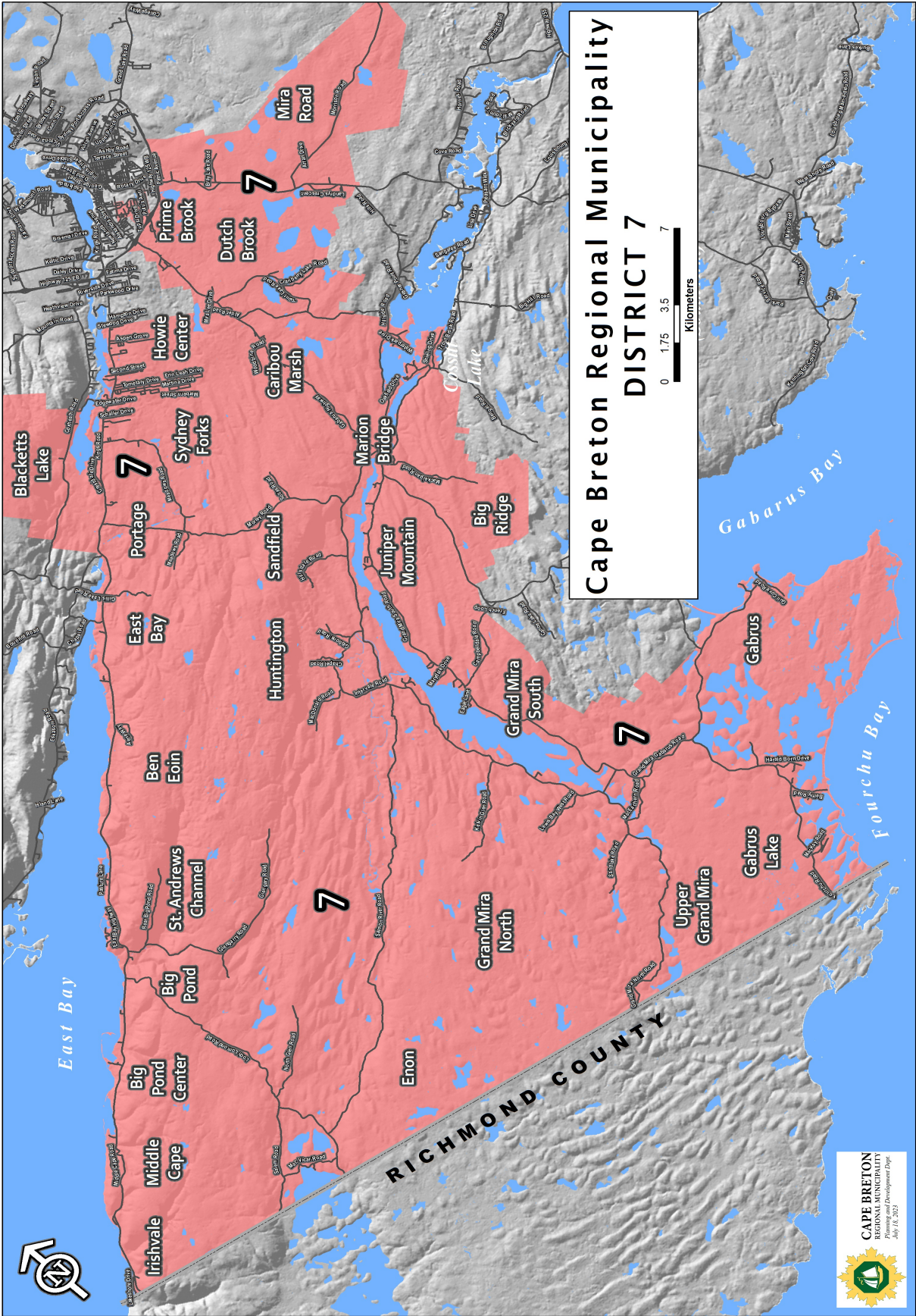


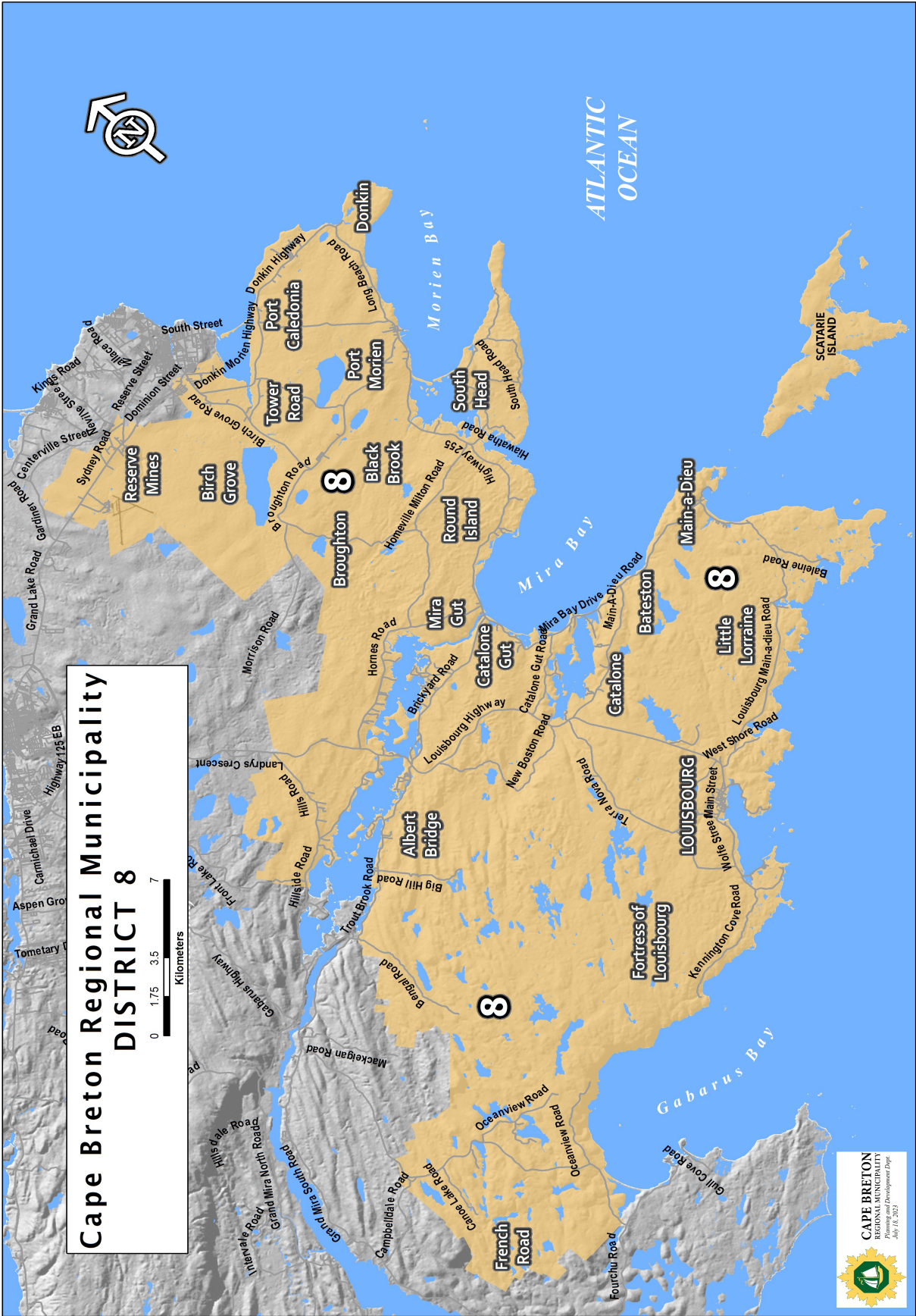


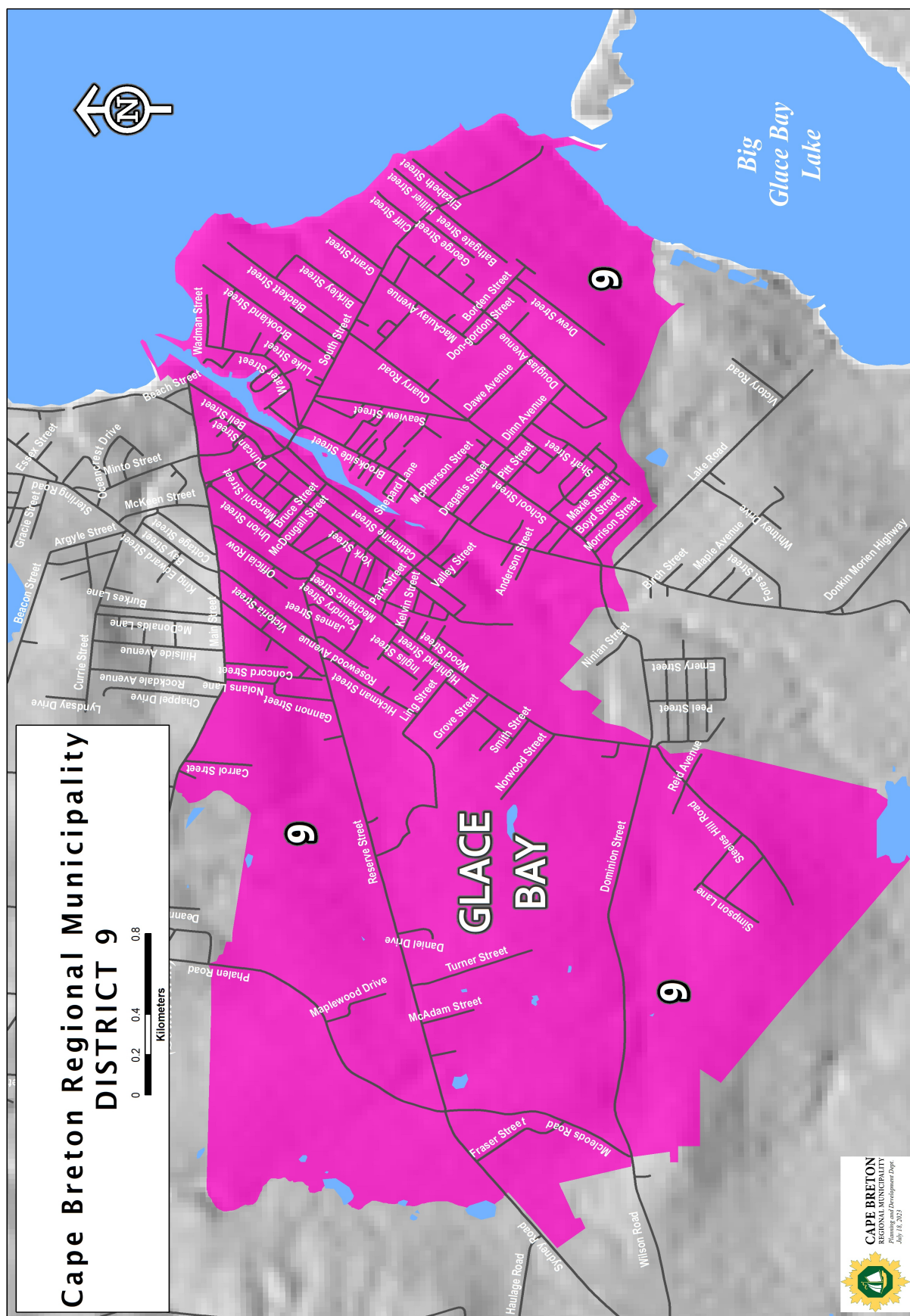


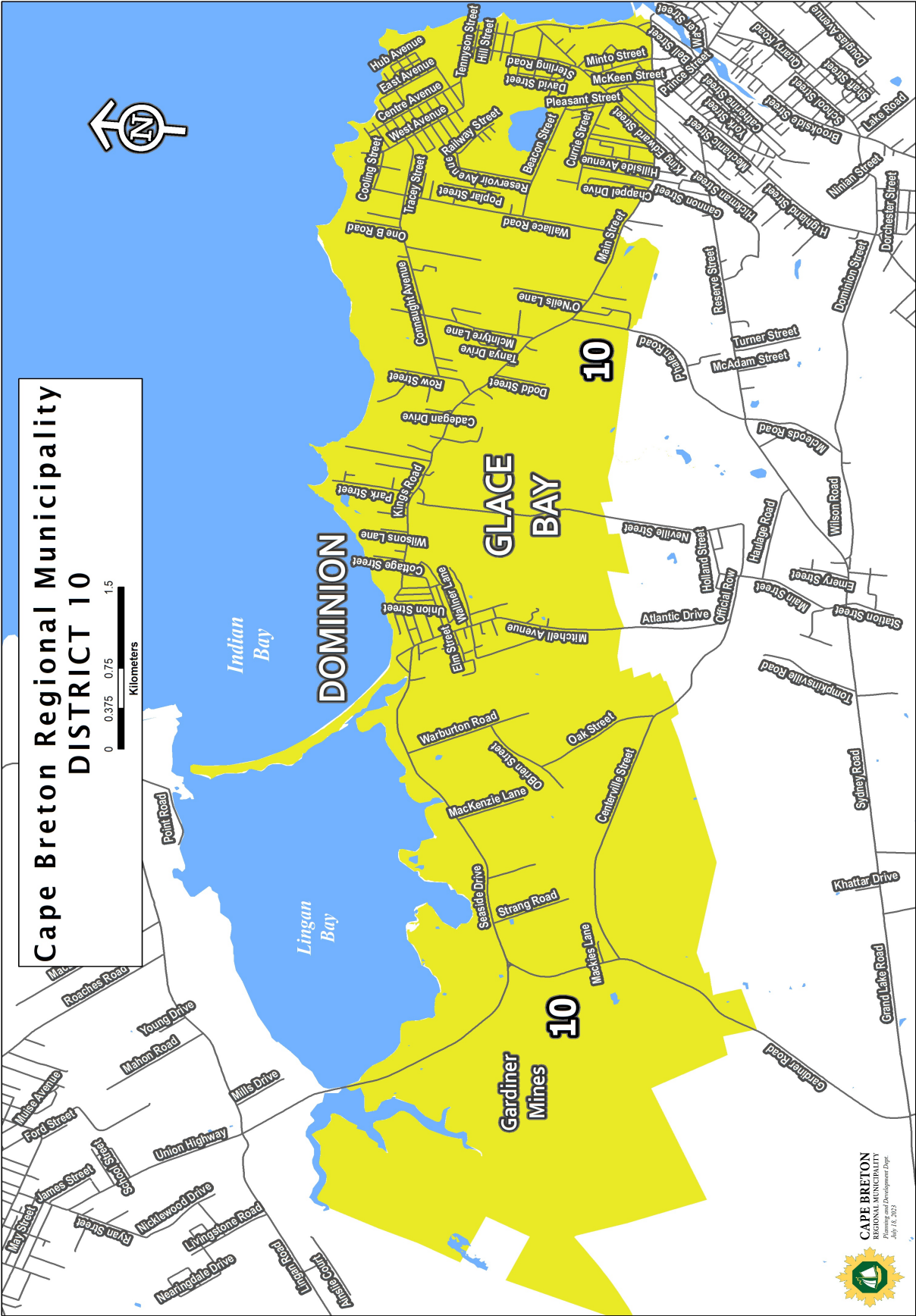


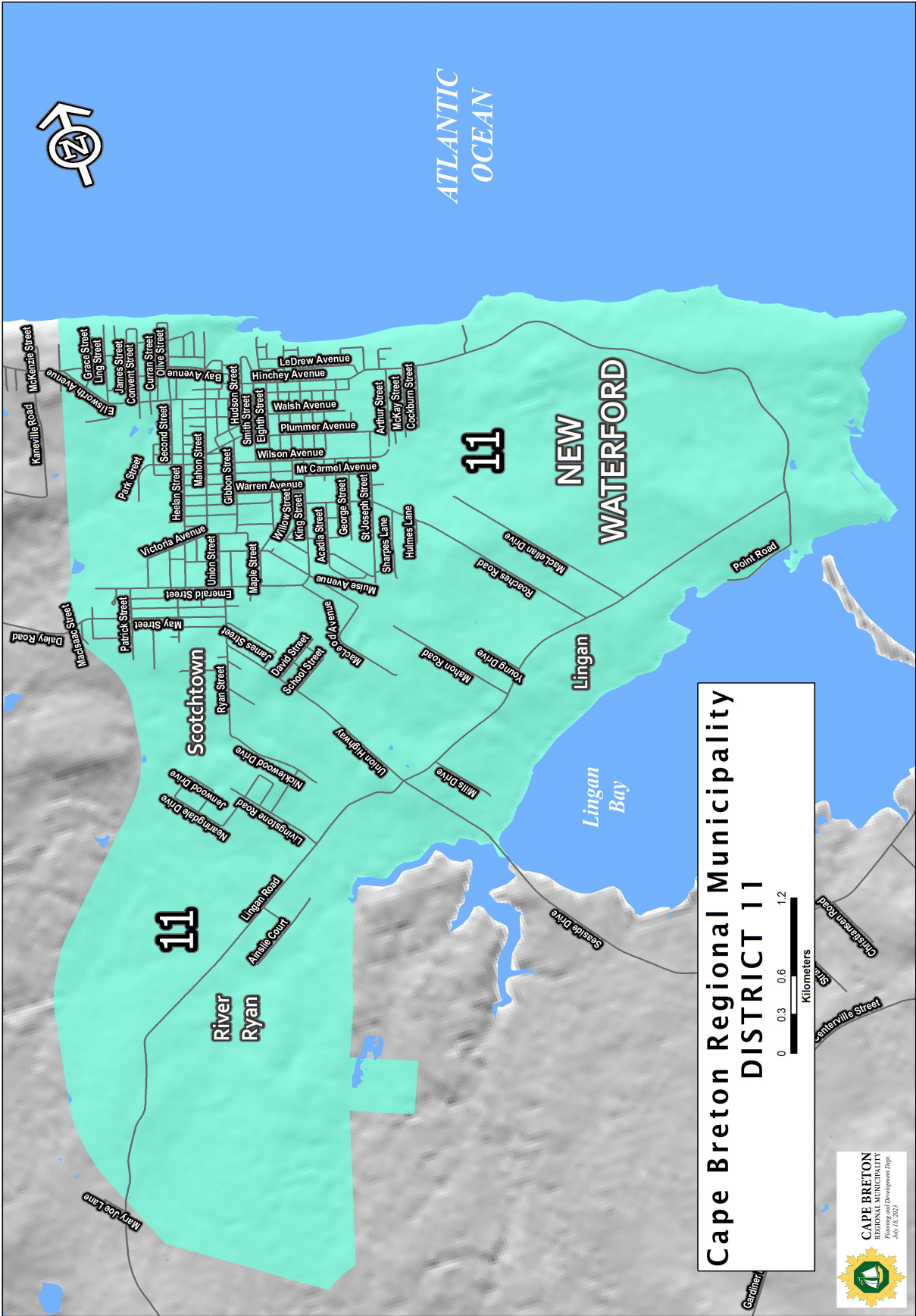


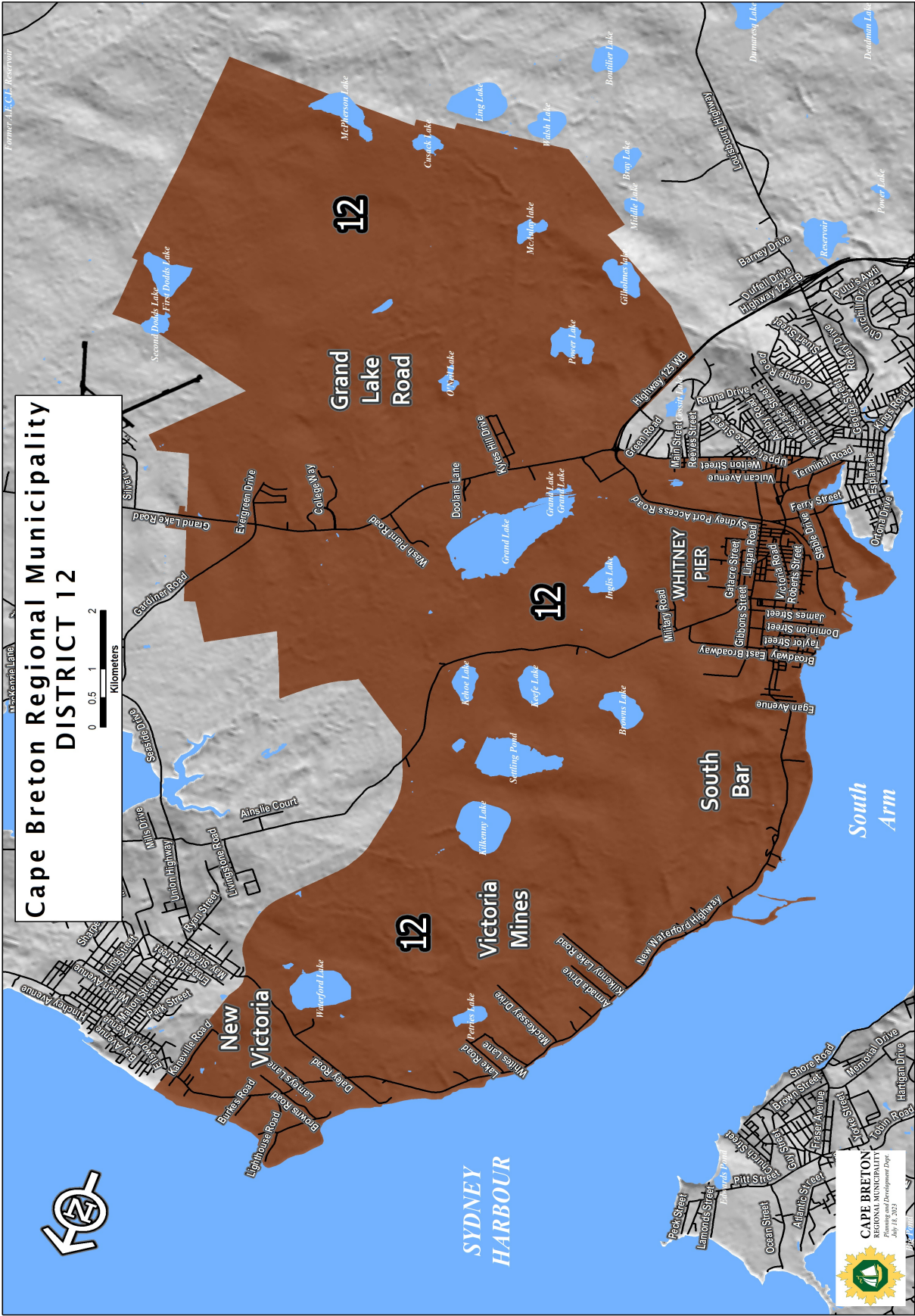












N.S. Reg. 151/2023

Made: August 10, 2023

Filed: August 16, 2023

Polling District Order: Municipality of the District of Barrington

Order dated August 10, 2023
made by the Nova Scotia Utility and Review Board
pursuant to Section 369 of the *Municipal Government Act*

Order**M10938****Nova Scotia Utility and Review Board****In the matter of the *Municipal Government Act*****- and -**

In the matter of an application by the **Municipality of the District of Barrington** to confirm the number of councillors and to alter the boundaries of polling districts

Before: Roland A. Deveau, K.C., Vice Chair

Order

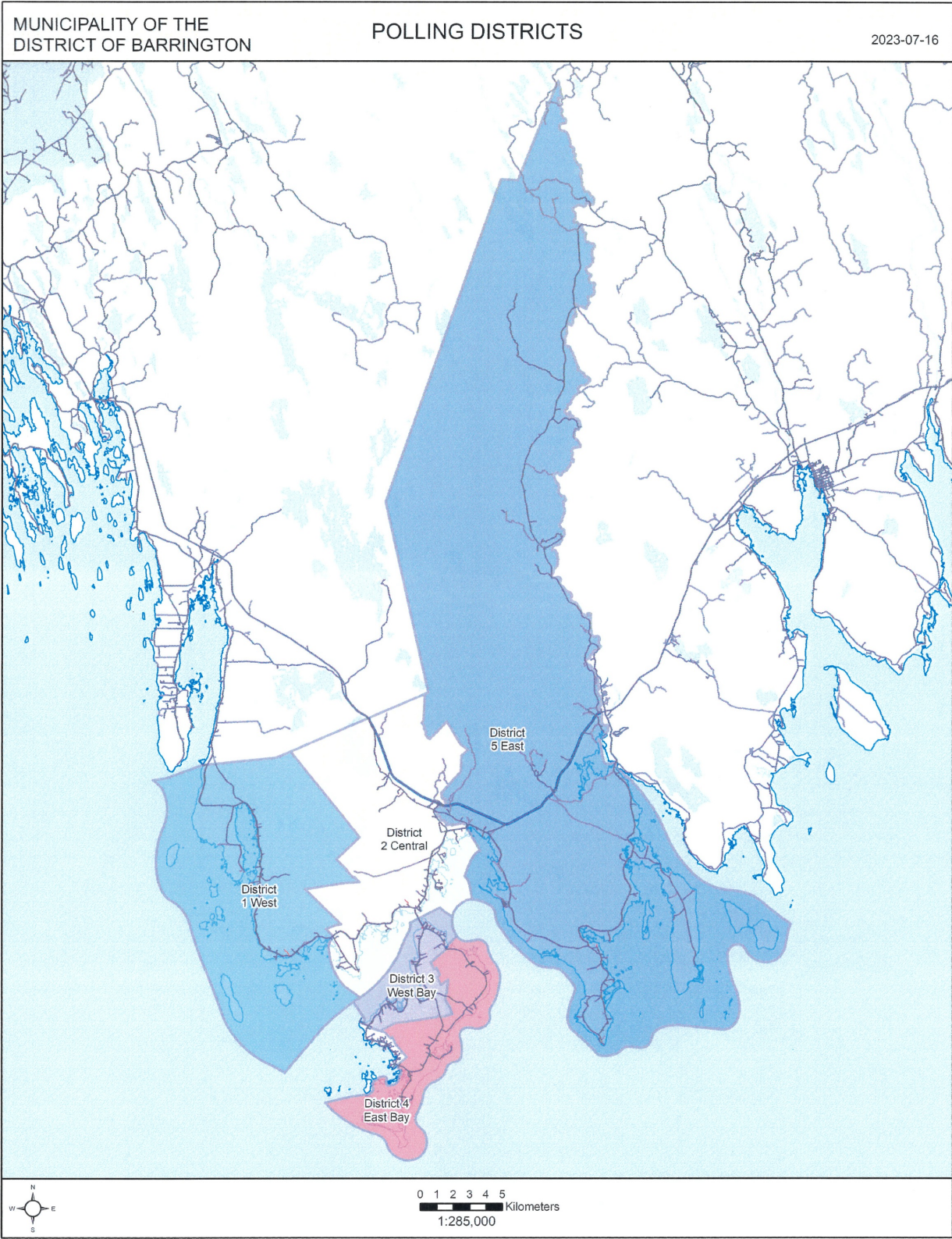
The Municipality of the District of Barrington filed an application under s. 369 of the *Municipal Government Act* and the Board issued its decision on May 19, 2023;

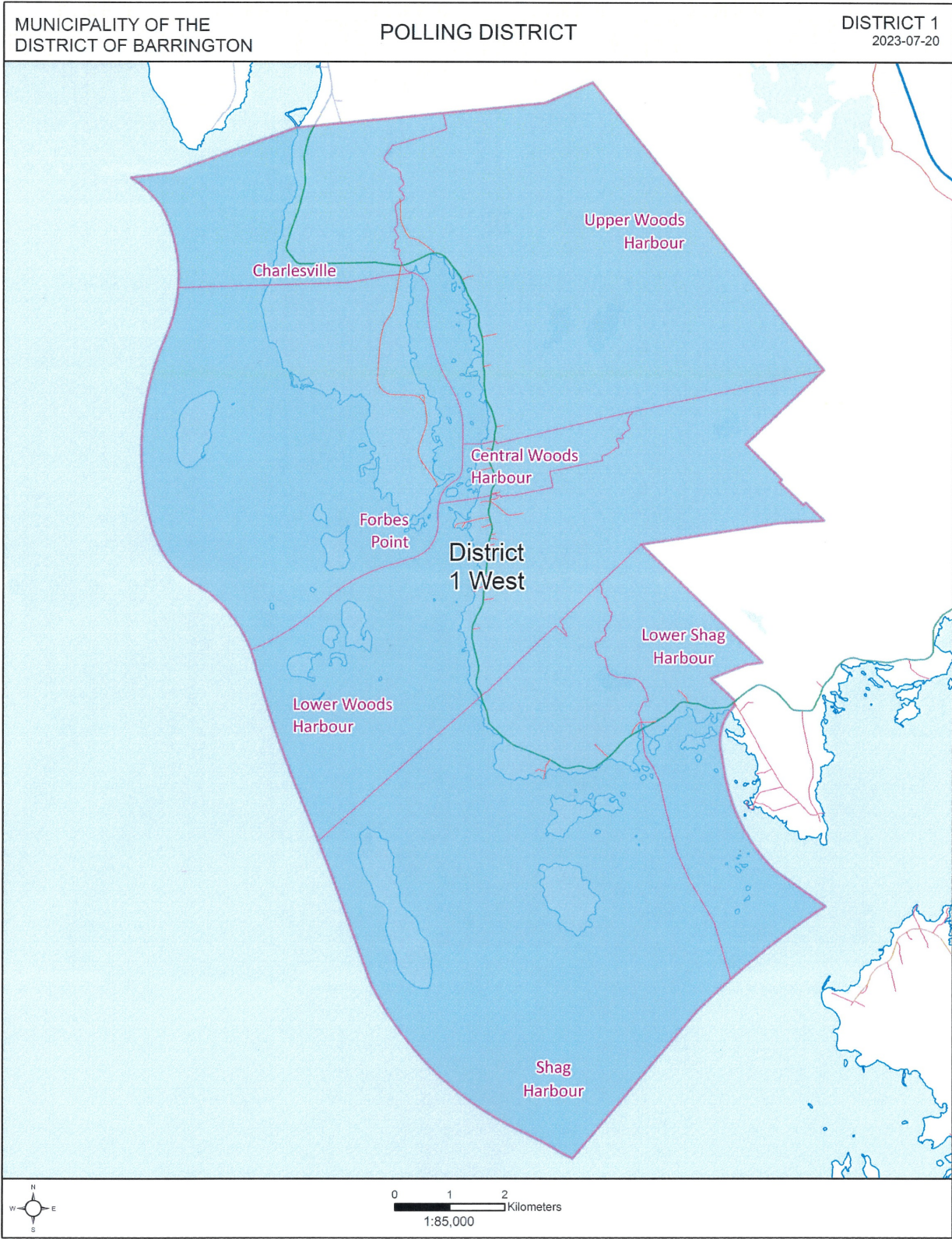
The Board approves the application and orders that:

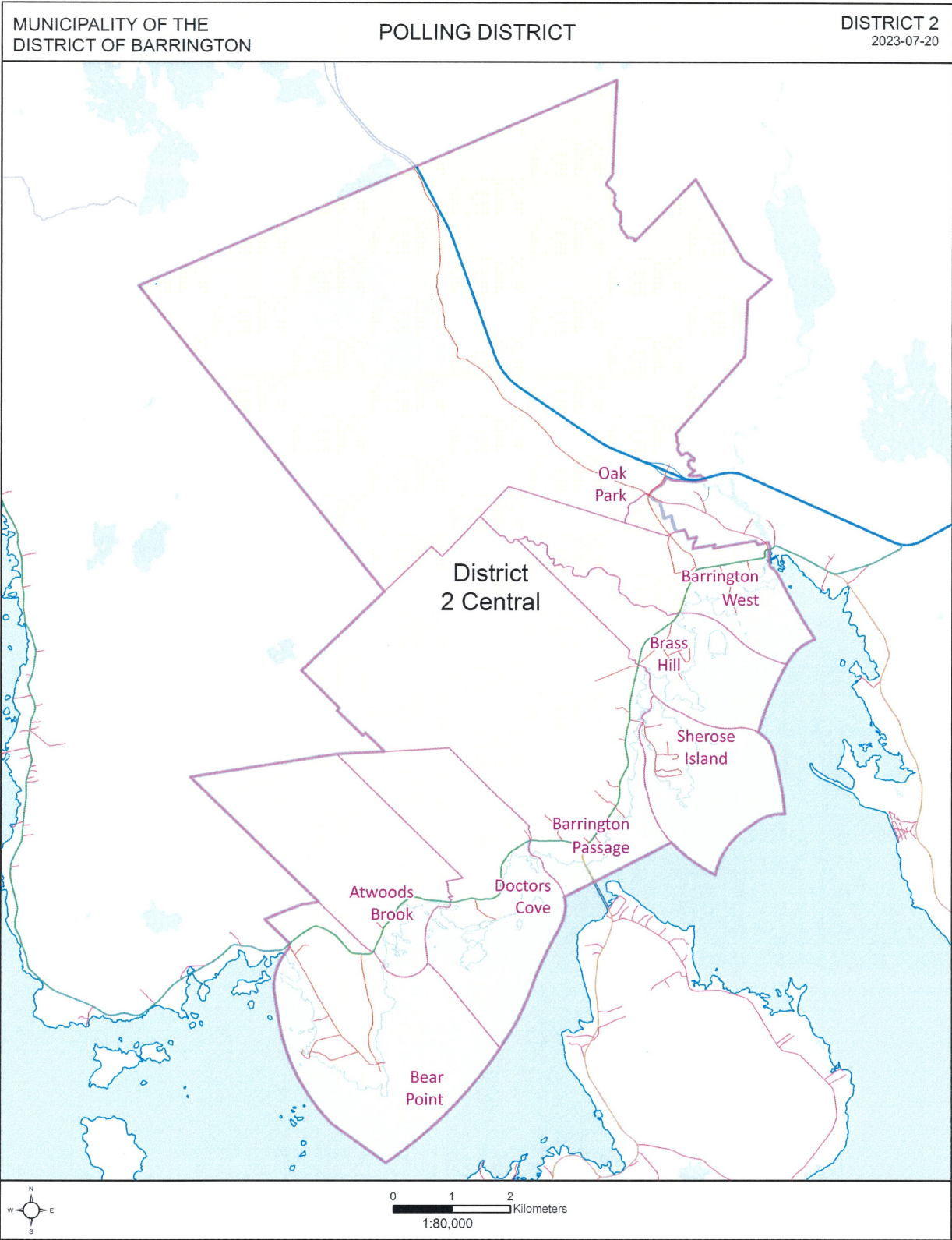
1. The number of polling districts for the Municipality is set at five (5);
2. The number of councillors is set at five (5);
3. The boundaries of the polling districts are approved as outlined in the application and as shown on the digital maps attached to this order; and
4. All provisions of the *Municipal Government Act* and the *Municipal Elections Act* and any other Acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of councillors of the Municipality in the year 2024 will be complied with as if the above-noted changes had been made on the first day of March, 2024, but for all other purposes, such changes shall take effect on the first day of the first meeting of the Council after the election of councillors for the year 2024.

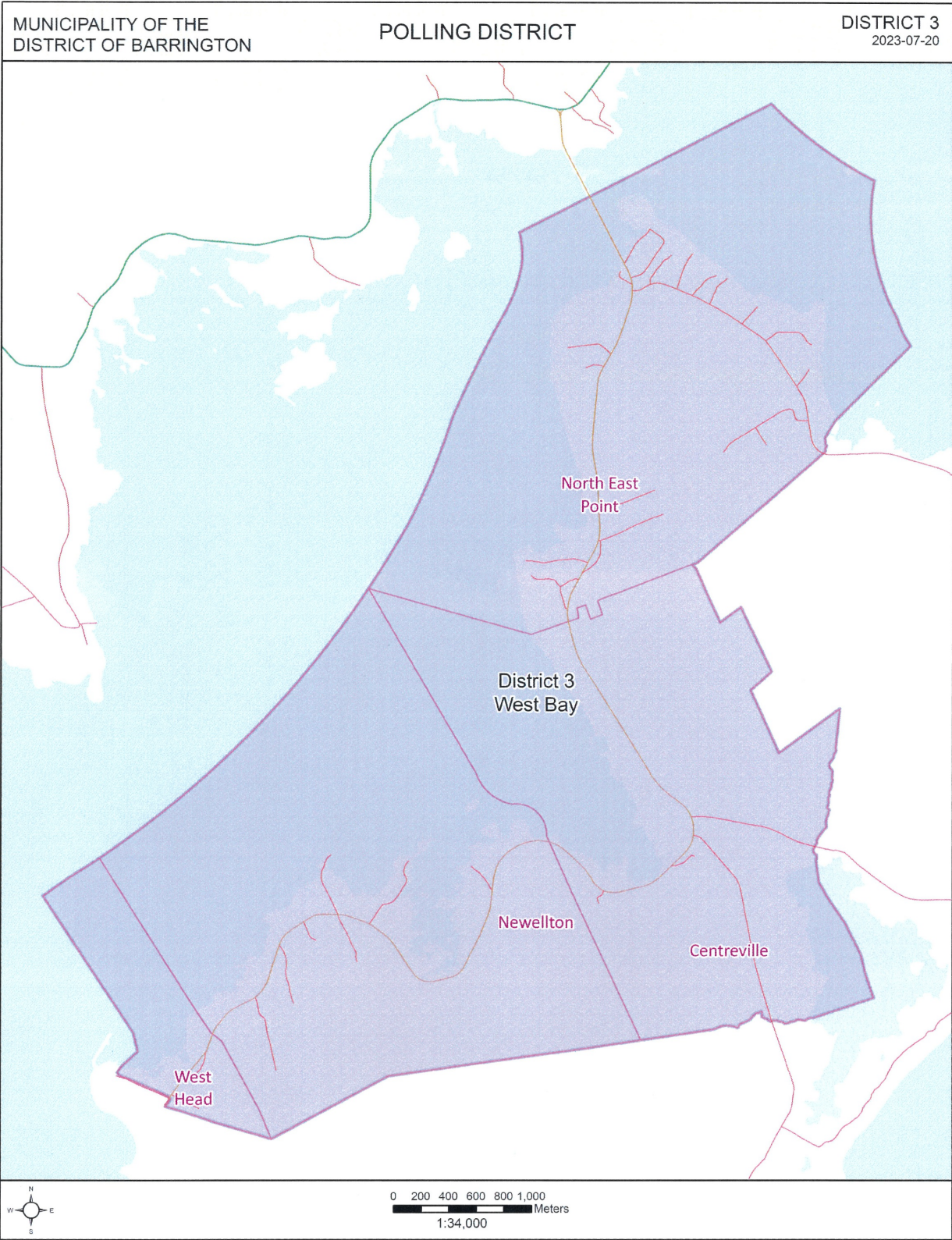
Dated at Halifax, Nova Scotia, this 10th day of August, 2023.

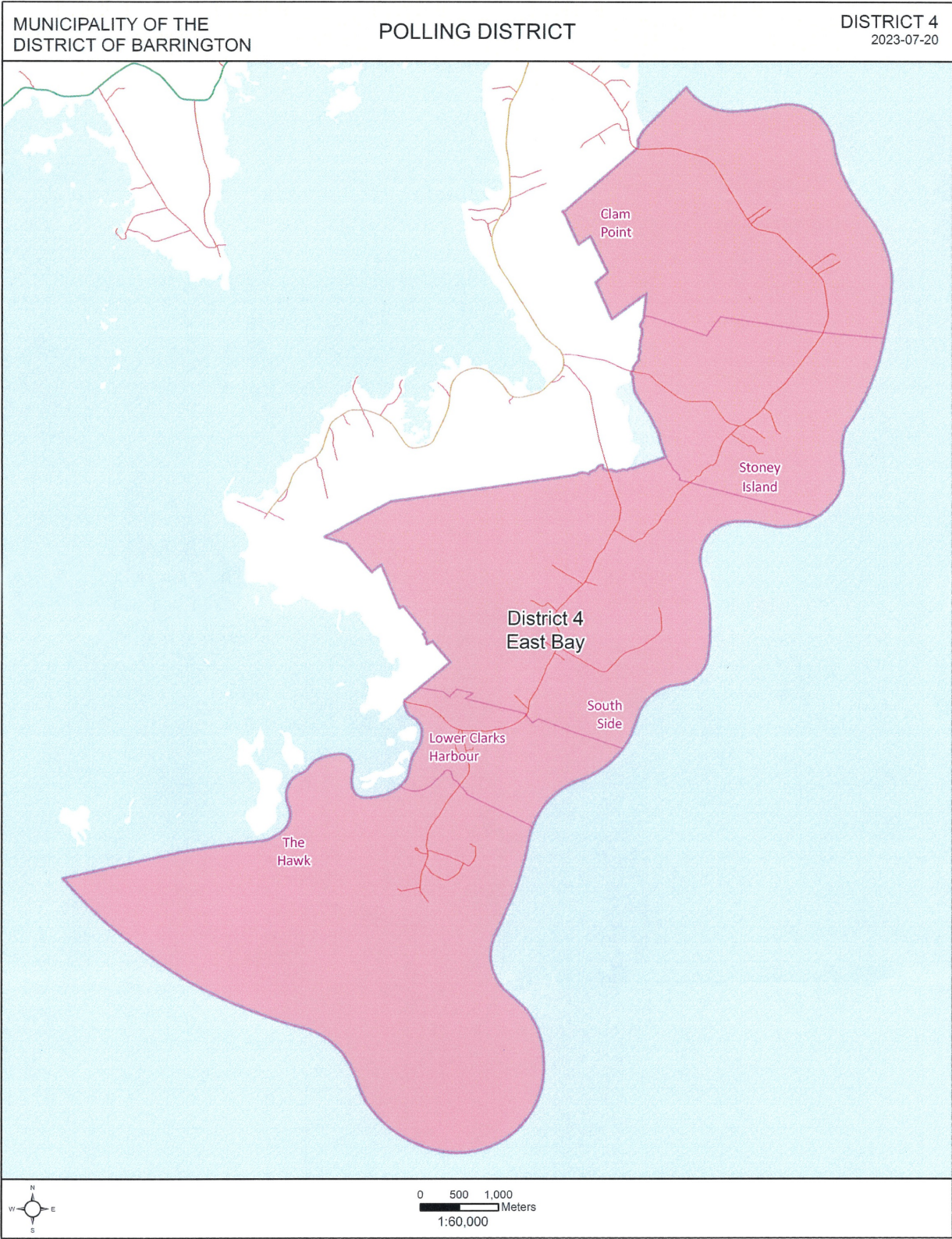
sgd. *Bruce A. Kiley*
Chief Clerk of the Board

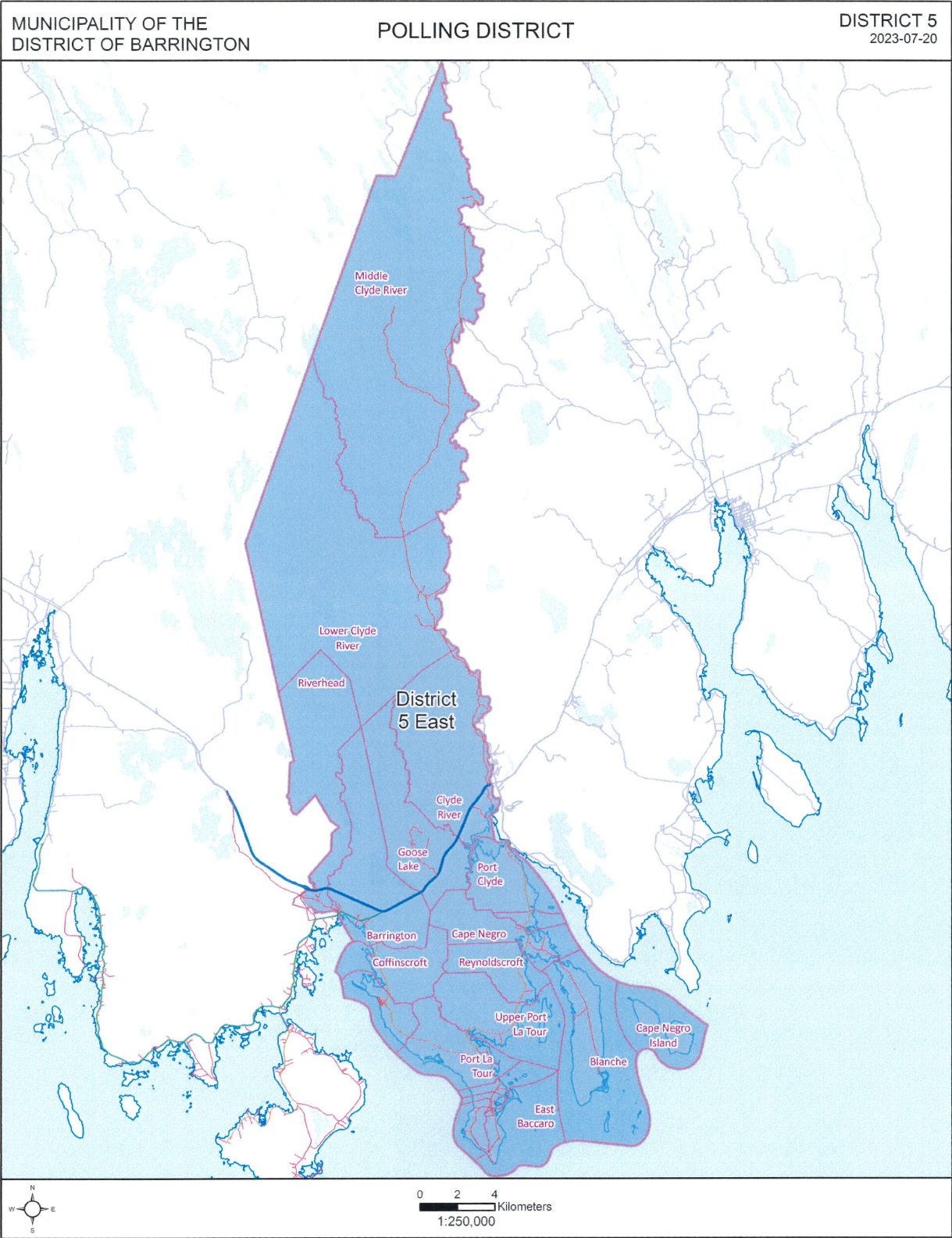












N.S. Reg. 152/2023

Made: August 17, 2023

Filed: August 18, 2023

Prescribed Petroleum Products Prices

Order dated August 17, 2023
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board's website at the following address: <https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing>.]

N.S. Reg. 153/2023

Made: July 13, 2023

Approved: August 24, 2023

Filed: August 24, 2023

Archibald Lake Wilderness Area Designation

Order in Council 2023-232 dated August 24, 2023
Designation made by the Minister of Environment and Climate Change
and approved by the Governor in Council
pursuant to subsection 11(3) of the *Wilderness Areas Protection Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Climate Change and the Minister of Natural Resources and Renewables dated July 13, 2023, and pursuant to subsection 11(3) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, is pleased to approve the designation by the Minister of Environment and Climate Change of a wilderness area to be known as Archibald Lake Wilderness Area, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 24, 2023.

Schedule "A"

**In the matter of Section 11 of Chapter 27 of the Acts of 1998,
the *Wilderness Areas Protection Act***

- and -

**In the matter of the designation of an area of Crown Land in
Guysborough County to be known as
Archibald Lake Wilderness Area**

I, Timothy Halman, Minister of Environment and Climate Change for the Province of Nova Scotia, pursuant to clause 11(3)(a) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, hereby designate an

area of Crown land in Guysborough County, with approximate boundaries as shown on the map attached as Appendix A, as the Archibald Lake Wilderness Area.

The actual boundaries of the designated area shall be as described and shown on a description and plan signed by the Director of Surveys and deposited in the Provincial Crown Land Information Management Centre, formerly known as the Provincial Crown Lands Record Centre, as required by subsection 11(3) of the Act, the signed description and plan forming part of this designation.

This designation is effective on and after the later of the date it is approved by the Governor in Council and the date the description and plan are deposited in the Provincial Crown Land Information Management Centre.

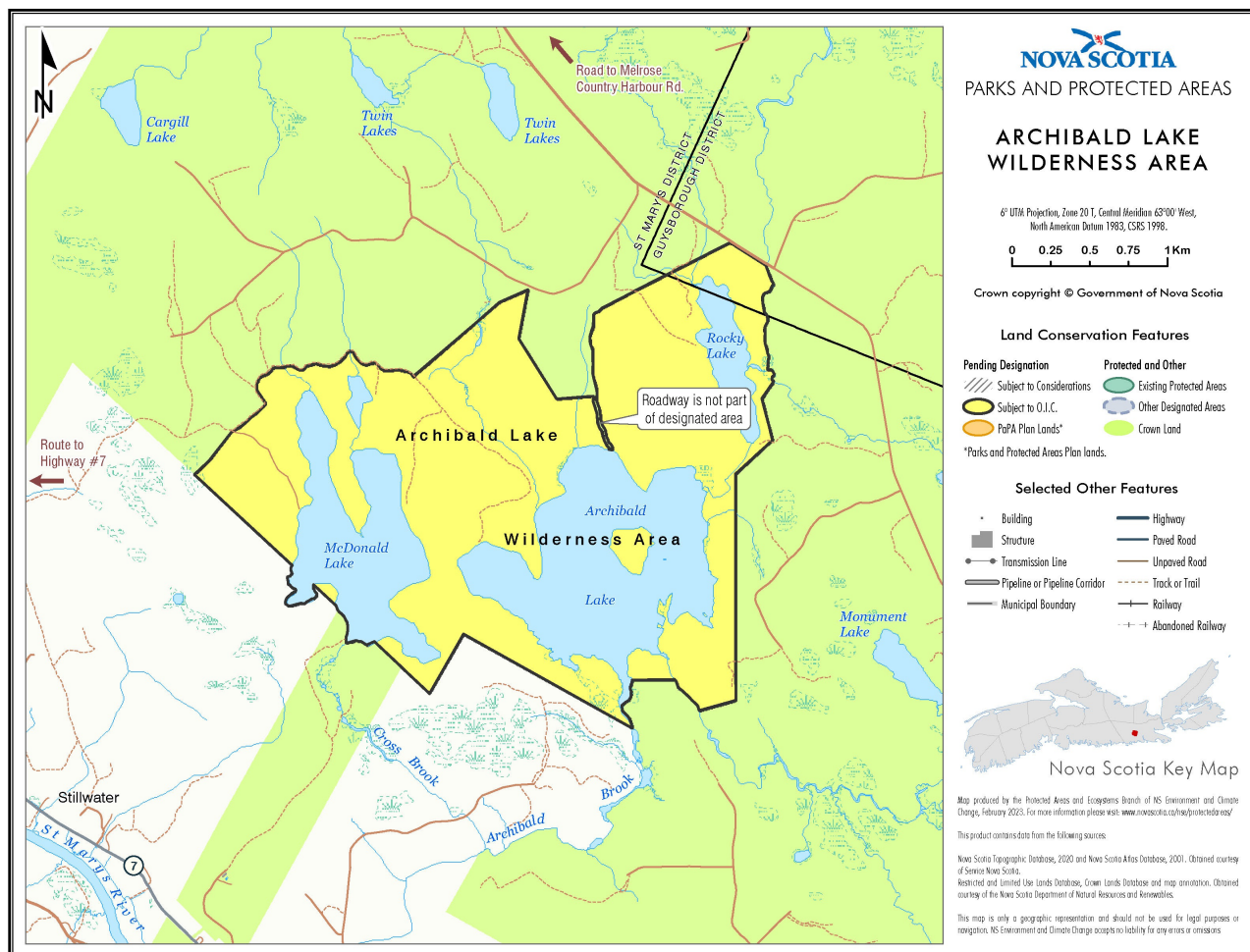
Dated and made at Halifax Regional Municipality, Province of Nova Scotia, July 13, 2023.

sgd. *T. Halman*

Honourable Timothy Halman

Minister of Environment and Climate Change

Appendix A Map Showing Approximate Boundaries of the Archibald Lake Wilderness Area



N.S. Reg. 154/2023

Made: August 24, 2023

Filed: August 25, 2023

Prescribed Petroleum Products Prices

Order dated August 24, 2023
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board's website at the following address: <https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing>.]

N.S. Reg. 155/2023

Made: August 29, 2023

Filed: August 29, 2023

Green Choice Program Regulations

Order in Council 2023-234 dated August 29, 2023
Regulations made by the Governor in Council
pursuant to Section 4BC of the *Electricity Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources and Renewables dated July 13, 2023, and pursuant to Section 4BC of Chapter 25 of the Acts of 2004, the *Electricity Act*, is pleased to make regulations respecting the Green Choice Program in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 29, 2023.

Schedule "A"

**Regulations Respecting the Green Choice Program
made by the Governor in Council under Section 4BC
of Chapter 25 of the Acts of 2004,
the *Electricity Act***

Interpretation**Citation**

1 These regulations may be cited as the *Green Choice Program Regulations*.

Definitions

- 2 (1) Except as otherwise provided in these regulations, words and expressions used in these regulations have the same meaning as in the Act and the *Renewable Electricity Regulations* made under the Act.
- (2) In these regulations,

“Act” means the *Electricity Act*;

“aggregate partnership” means a partnership consisting of separate public institutions whose combined subscribed electricity is at least 10 000 MWh per year;

“applicant” means a person, public institution, business or aggregate partnership applying to become a participant;

“application” means the documents, information and forms submitted by an applicant to apply to become a participant;

“bidder” means a company or corporate body that is bidding on a request for proposals for procurement of renewable low-impact electricity for the Green Choice Program;

“eligible electricity”, for the purposes of the Green Choice Program, means renewable low-impact electricity that is all of the following:

- (i) not already supplied to a customer under any other program under the Act that directly generates renewable electricity for customer accounts and facilities,
- (ii) not currently directly supplied under a procurement under Section 4B or 4BA of the Act;

“fixed administrative costs” means costs incurred by NSPI to administer the Green Choice Program, including costs the Minister considers administrative in nature and any costs associated with the following activities:

- (i) billing,
- (ii) amending the terms and conditions of a participant’s subscription in the Green Choice Program,
- (iii) reallocating subscribed electricity,
- (iv) filing and transferring a REC,
- (v) reporting and record keeping,
- (vi) assisting an applicant in submitting their application,
- (vii) verifying the application processes with the Minister;

“participant” means any entity that participates in the Green Choice Program, including each partner in an aggregate partnership;

“partner” means one of the separate public institutions in an aggregate partnership;

“public institution” means any of the following:

- (i) a registered charity for income tax purposes,
- (ii) a school authority,

- (iii) a public college,
- (iv) a university,
- (v) a hospital authority,
- (vi) a municipal, provincial or federal government, including a department, agency or Crown corporation that is part of a municipal, provincial or federal government,
- (vii) a Mi'kmaw band council or its wholly owned subsidiaries;

“renewable energy certificate” or “REC” means a document that provides proof that a participant owns the renewable attributes per MWh of renewable energy generated;

“social procurement” means the achievement of strategic social, environmental, economic and workforce development goals through the purchasing of goods and services;

“subscribed electricity” means ~~the amount of~~ renewable low-impact electricity contracted by a participant in and produced by a supplier to the Green Choice Program;

“supplier” means an independent power producer as defined in the *Renewable Electricity Regulations* made under the Act.

Eligibility, Application, Application Process and Compliance Requirements for Participants

Eligibility requirements for participants

3 To be an eligible participant in the Green Choice Program, an applicant must meet all of the following requirements:

- (a) be 1 of the following entities:
 - (i) a single corporate or commercial customer with a minimum subscription volume of 10 000 MWh per year in electricity load over 1 or more electricity meters,
 - (ii) a public institution or its departments, agencies or Crown corporations with a minimum subscription volume of 10 000 MWh per year in electricity load over 1 or more electricity meters,
 - (iii) an aggregated partnership of 2 or more separate public institutions who have aggregated their electricity load to achieve a minimum aggregated subscription volume of 10 000 MWh per year in electricity load over 1 or more electricity meters,
 - (iv) a partner in an aggregated partnership with an electricity load of no less than 1 000 MWh per year or that subscribes a minimum of 10 000 MWh per year in the Green Choice Program;
- (b) be in good standing with NSPI or a new NSPI customer with the documentation required by clause 5(f);
- (c) only subscribe eligible electricity that is wholly generated and delivered within the Province;
- (d) be a customer with a customer account wholly located in the Province within NSPI's service territory.

Application intake window for participants

- 4 (1) The Minister may open an intake window for applications from eligible participants when there is nameplate capacity available in the Green Choice Program.
- (2) The start and end dates of the intake window for applications from eligible participants must be posted publicly for at least 20 business days prior to the start date of the intake window.
- (3) The start and end dates of the intake window for applications from eligible participants must be determined by the Minister.
- (4) No applications will be accepted after the end date of the intake window for applications from eligible participants.

Application requirements for participants

5 An applicant must include all of the following in an application under subsection 4BA(3) of the Act:

- (a) an application form
 - (i) containing the name, address, e-mail address and telephone number of the applicant, and
 - (ii) completed and signed by a person who has authority to sign on behalf of the applicant;
- (b) confirmation that the applicant meets all of the eligibility requirements described in Section 3;
- (c) a document that outlines the total electricity load and the participating customer accounts to be enrolled in the Green Choice Program;
- (d) a statement specifying all of the following:
 - (i) the amount of eligible electricity in kilowatt hours intended to be enrolled in the Green Choice Program per year,
 - (ii) the intended length of the term of enrollment in the Green Choice Program;
- (e) for an aggregate partnership, all of the following:
 - (i) the names of all partners in the aggregate partnership,
 - (ii) a statement designating one of the partners or a third party as the representative of the aggregate partnership,
 - (iii) proof that the partners have entered into an aggregate partnership, in the form of a copy of a letter, an agreement or other written documentation,
 - (iv) confirmation by each partner that they will subscribe for the same term in their participant agreement as the other partners in the aggregate partnership;
- (f) for an applicant that is a new customer of NSPI, all of the following:
 - (i) a credit check, in the form described in the application,
 - (ii) proof of anticipated energy use, in a form acceptable to the Minister;

- (g) any other documents, information or forms required by the Minister and described in the application.

Application process for participants

- 6 (1) All applications must be submitted in the form or manner required by the Minister, which may include electronic submission through the Internet.
- (2) An applicant may withdraw their application at any time prior to being accepted into the Green Choice Program.
- (3) An applicant may apply for eligible electricity only.
- (4) An applicant may apply to 1 or more application intake windows described in Section 4, if they are subscribing new eligible electricity.
- (5) Applications from ineligible participants will be rejected.
- (6) The Minister may contact NSPI to verify any of the information included in an application.

Maximum electricity consumption enrollment at time of participant's application

- 7 Upon application, an applicant may enroll up to a maximum of 120% of their electricity consumption, as calculated by the Green Choice Program based on the applicant's electricity consumption during the previous year or years selected by the Green Choice Program, unless otherwise approved by the Minister.

Incomplete participant applications

- 8 Incomplete applications must be rejected, including applications containing information that cannot be verified.

Evaluation and deferral of participant applications

- 9 (1) The Minister may consider all of the following when evaluating applications from eligible participants:
- (a) whether an eligible participant has made a public climate change or emissions reduction commitment;
 - (b) the date by which an eligible participant must meet the climate change or emissions reduction commitment described in clause (a);
 - (c) the total aggregate nameplate capacity available under the Green Choice Program;
 - (d) for an eligible participant that is a new NSPI customer, the long-term economic viability of the eligible participant and the accuracy of the energy modelling for the eligible participant's new facilities;
 - (e) any other information the Minister deems appropriate.
- (2) The Minister has the discretion to determine the total number of eligible participants and the total amount of subscribed electricity enrolled in the Green Choice Program.
- (3) If an eligible participant submits a complete application, but is not selected to participate in the Green Choice Program, the Minister may defer the eligible participant's acceptance and hold their application on file for up to 3 years.

- (4) If capacity becomes available within the Green Choice Program during the 3-year period referred to in subsection (3), the Minister may select a deferred eligible participant to participate in the Green Choice Program and enrol the eligible participant's requested amount of subscribed electricity in the Green Choice Program with the eligible participant's consent.

Minister's decision on participant's application

- 10 (1) The Minister must, no later than 45 business days after the close of the intake window for applications from eligible participants, provide written notification to an eligible participant that their application has been accepted, deferred or rejected.
- (2) Before accepting, deferring or rejecting an application, the Minister may request additional information from an eligible participant to clarify the information submitted in their application.
- (3) All additional information requested by the Minister under subsection (2) must be submitted within a time frame specified by the Minister.
- (4) If the additional information requested under subsection (2) is not received within the time frame specified by the Minister, the Minister may deem the application incomplete and reject it.
- (5) The Minister must notify NSPI of all eligible participants accepted into the Green Choice Program and all eligible participants deferred.

Aggregate nameplate capacity for Green Choice Program

- 11 The aggregate nameplate capacity of all generation facilities accepted into the Green Choice Program must not exceed 350 MW.

Fees, costs and penalties of Green Choice Program

- 12 (1) Participants must incur no fees, costs or penalties associated with the Green Choice Program outside of those listed in these regulations.
- (2) A fixed administrative cost charged under these regulations must not exceed \$1.00 per MWh of eligible subscribed electricity contracted by the participant, up to a total of \$100 000 per participant per year.

Procurement and Power Purchase Agreements**Procurement of renewable low-impact electricity and awarding of power purchase agreement**

- 13 (1) Procurement of renewable low-impact electricity must comply with Section 4B of the Act and Sections 35A, 35B, 35C, 35D, 36 and 37 of the *Renewable Electricity Regulations* made under the Act.
- (2) If a procurement administrator awards a power purchase agreement to a successful bidder, the bidder's renewable electricity projects become the renewable energy suppliers for the participants' subscribed electricity for the purpose of the Green Choice Program.

Term of power purchase agreement

- 14 A power purchase agreement must be for a term of 25 years starting from the commercial operation date.

Termination of power purchase agreement

- 15 If a power purchase agreement issued under the Green Choice Program is terminated, NSPI must provide notification of the termination in writing to the Board and the Minister within 30 business days.

Subscription in Green Choice Program

Terms and conditions of subscription

- 16** (1) NSPI must update the terms and conditions of the subscriptions of all participants in collaboration with the participants no later than 90 business days before the commercial operation dates of the suppliers specified in the power purchase agreements.
- (2) A participant must confirm the term of their subscription in the Green Choice Program, as defined in the terms and conditions of the participant's subscription, in accordance with Section 18.
- (3) A participant may terminate their subscription in the Green Choice Program before the end of their subscription term, as defined in the terms and conditions of the participant's subscription, if they provide 90 days' written notice of the termination to NSPI and the Minister.
- (4) The terms and conditions of a participant's subscription in the Green Choice Program, including the participant's subscription term, do not apply until a supplier achieves commercial operation as defined in the power purchase agreement.
- (5) NSPI must notify the participants and the Minister of when all of the following will occur at least 7 business days before they occur:
- (a) a supplier project achieves commercial operation;
 - (b) the terms and conditions of the participants' subscriptions in the Green Choice Program come into effect;
 - (c) costs and credits begin to be charged, for billing purposes.

Assignment of subscription

- 17** (1) A participant may assign or transfer their subscription in the Green Choice Program to a subsidiary, affiliated party, Crown corporation, department or agency of a public institution if the assignee or transferee accepts the same terms and conditions of the subscription as the participant.
- (2) An assignment of a participant's subscription is subject to approval by NSPI and that approval must not be unreasonably withheld.
- (3) A participant must notify the Minister in writing when the participant's subscription has been transferred or assigned.
- (4) A participant must submit to NSPI, on behalf of the assignee to whom the participant has assigned their subscription, documents that demonstrate all of the following:
- (a) that the results of the credit check of the assignee are equal to or greater than those of the participant at the time of the assignment;
 - (b) that the assignee has acquired an interest in the facilities or locations associated with the participant's subscribed electricity.

Term of subscription

- 18** (1) A participant must subscribe to the Green Choice Program for a minimum of 5 years.
- (2) A participant may extend the term of their subscription every 5 years.

- (3) A participant must provide 90 business days' written notice to NSPI and the Minister of their intention to extend their subscription term.
- (4) The maximum amalgamated term of a participant's subscription must not exceed 25 years.

Amendment of subscription terms and conditions

- 19** The terms and conditions of a participant's subscription in the Green Choice Program may be amended by NSPI or the participant, subject to the approval of both the participant and NSPI.

Reallocation of subscribed electricity

- 20** (1) If a participant or aggregate partnership has decreased their subscribed electricity or a participant has not extended or terminated their subscription, NSPI must make a reasonable effort to reallocate and reassign the newly available subscribed electricity among the remaining participants by
- (a) notifying the remaining participants of the availability of the subscribed electricity; and
 - (b) allowing the remaining participants to request an increase in their subscribed electricity on a first-come, first-served basis.
- (2) If NSPI cannot, within 60 business days, reallocate or reassign the subscribed electricity described in subsection (1) to the remaining participants, NSPI must notify the Minister of the amount of available electricity supply under the Green Choice Program.
- (3) Upon receipt of a notification from NSPI provided under subsection (2), the Minister may do any of the following:
- (a) open a new application intake window;
 - (b) if it has been less than 3 years since the end of the previous application intake window, contact deferred eligible participants.
- (4) If 365 calendar days have elapsed since NSPI notified the Minister under subsection (2) and the subscribed electricity has not been allocated to new participants, it may be allocated to serve the general ratepayer, in which case the subscribed electricity will no longer be available for subscription under the Green Choice Program.

Renewable Energy Credits [Certificates]**Registration and retirement of renewable energy credits [certificates]**

- 21** (1) NSPI must register annually, on behalf of a participant, a renewable energy credit [certificate] with an internationally recognized organization.
- (2) Each year on or before September 30, NSPI must provide the participant with all of the following information about the renewable energy credit [certificate] registration:
- (a) annual volume of the participant's renewable energy credit [certificate];
 - (b) the participant's identification numbers;
 - (c) vintage.
- (3) Upon NSPI providing the participant with the specifics of the renewable energy credit [certificate] registration under subsection (2), the renewable energy credit [certificate] will be considered retired.

Reporting Requirements

Supplier reporting requirements

22 (1) The Minister may request reports from a supplier, as required, regarding all of the following:

- (a) the supplier's progress in putting its electricity generation facility into service, if the electricity generation facility has not reached commercial operation;
 - (b) social procurement activities and local economic benefits, including employment, instigated by the supplier in the previous year and plans for any social procurement activities and local economic benefits in the upcoming year;
 - (c) technical data, upon the commencement of the commercial operation of a electricity generation facility.
- (2)** The Minister may specify the form and content of supplier reports requested under subsection (1).
- (3)** The Minister may publish aggregate information from supplier reports submitted in response to requests made under subsection (1).

NSPI reporting requirements

23 On or before January 31 of each year, NSPI must provide a report to the Minister and the Board summarizing all of the following actions taken in the previous calendar year regarding the participants and power purchase agreements that are under the Green Choice Program:

- (a) any extension, assignment, transfer or termination of a subscription of a participant;
- (b) any transfer, assignment or termination of a power purchase agreement.

Renewable Electricity Standards

Green Choice Program electricity and renewable electricity standards

24 All electricity procured under the Green Choice Program may be used by NSPI to meet the renewable electricity standards.

Green Choice Program Review

Program review

25 The Minister may review the Green Choice Program, including any associated costs, fees and benefits, as needed, but must do so no later than 5 years from the date that these regulations come into effect.