

SCHEDULE

1 Section 1 of the Demand-Side Measures Regulation, B.C. Reg. 326/2008, is amended

(a) by adding the following definitions:

“charity program” means a program to reduce energy consumption in buildings

- (a) owned and used by a charity that provides assistance to low-income persons, or
- (b) leased by a charity that provides assistance to low-income persons, if the benefits of the program accrue primarily to the charity;

“energy management program” means a program to assist customers to optimize energy use; ,

(b) by repealing the definition of “public entity” and substituting the following:

“public entity” means

- (a) a local government,
- (b) a first nation,
- (c) a society incorporated under the *Societies Act*, other than a member-funded society as defined in section 190 of that Act, or
- (d) a trade union; ,

(c) in the definition of “specified demand-side measure” by adding the following paragraph:

- (c.1) an energy management program; ,

(d) by repealing paragraphs (a) and (c) of the definition of “specified proposal” and substituting the following:

- (a) a proposal respecting an amendment to the regulation referred to in paragraph (a) of the definition of “specified standard”, if the proposal is published by the government;
- (c) a proposal respecting an amendment to the regulation referred to in paragraph (c) of the definition of “specified standard”, if the proposal is published by the government; , *and*

(e) by adding the following definition:

“step code”, in relation to a building to which Part 3 or 9 of the British Columbia Building Code (the Code) applies, means energy efficiency requirements in a regulation made under section 3 of the *Building Act* that are more stringent than the requirements in

- (a) Sentence 10.2.1.1. (1) of the Code, for buildings to which Part 3 of the Code applies, or
- (b) Subsections 9.36.2. to 9.36.4. of the Code, for buildings to which Part 9 of the Code applies.

2 Section 3 is amended

(a) by renumbering the section as section 3 (1),

(b) by repealing subsection (1) (a) (ii) (A) and (B) and substituting the following:

(A) a housing provider that is a local government, a society as defined in section 1 of the *Societies Act*, other than a member-funded society as defined in section 190 of that Act, or an association as defined in section 1 (1) of the *Cooperative Association Act*, or

(B) the governing body of a first nation, ,

(c) by repealing subsection (1) (a) (ii) (E) and substituting the following:

(E) a governing body referred to in clause (B) if the households in the governing body's housing are primarily low-income households; ,

(d) in subsection (1) by adding the following paragraphs:

(e) one or more demand-side measures to provide resources as set out in paragraph (e) of the definition of "specified demand-side measure", representing no less than

(i) an average of 1% of the public utility's plan portfolio's expenditures per year over the portfolio's period of expenditures, or

(ii) an average of \$2 million per year over the portfolio's period of expenditures;

(f) one or more demand-side measures intended to result in the adoption by local governments and first nations of a step code or more stringent requirements within a step code. , *and*

(e) by adding the following subsection:

(2) The commission, when considering whether a plan portfolio is adequate under subsection (1), may consider a demand-side measure that is not included in the plan portfolio to be a part of the plan portfolio.

3 Section 4 is amended

(a) in subsection (1.1) by striking out "The commission" and substituting "Subject to subsection (2), the commission",

(b) in subsection (1.1) (c) by striking out "not referred to in section 3 (a)" and substituting "that is not referred to in section 3 (1) (a) and that is not a charity program",

(c) in subsection (1.1) by adding the following paragraph:

(d) the benefit of the demand-side measure is what it would have been had no step code been adopted in the Province. ,

- (d) in subsection (1.5) by adding “, other than a demand-side measure referred to in section 3 (1) (a) or a charity program,” after “must determine that a demand-side measure”;**
- (e) in subsection (1.5) (b) (iii) by striking out “33%” and substituting “40%”;**
- (f) in subsection (1.8) by adding the following paragraph:**
 - (a.1) a charity program, ,**
- (g) in subsection (1.8) (c) by striking out “section 3 (a)” and substituting “section 3 (1) (a)”;**
- (h) in subsection (2) by striking out “section 3 (a)” and substituting “section 3 (1) (a) or a charity program”, and**
- (i) by repealing subsection (2) (b) and substituting the following:**
 - (b) in using the total resource cost test, make the adjustments referred to in subsection (1.1) (a) and (b) and then increase the value of the benefit of the demand-side measure by 40%.**