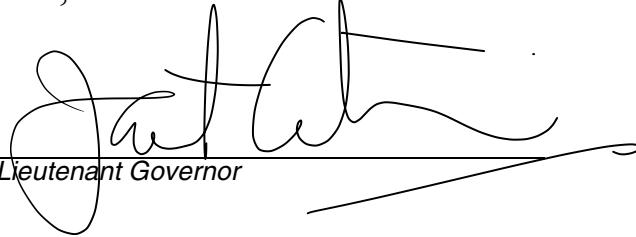


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 448

, Approved and Ordered July 12, 2021



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

- (a) the Renewable and Low Carbon Fuel Requirements Regulation, B.C. Reg. 394/2008, is amended as set out in the attached Appendix 1, and
- (b) effective January 1, 2022, the Renewable and Low Carbon Fuel Requirements Regulation, B.C. Reg. 394/2008, is amended as set out in the attached Appendix 2.



Minister of Energy, Mines and Low Carbon Innovation



Presiding Member of the Executive Council

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*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section: *Greenhouse Gas Reduction (Renewable and Low Carbon Fuel Requirements) Act*, S.B.C. 2008, c. 16, ss. 24 to 26

Other: OIC 907/2008

R10524517

## APPENDIX 1

- 1 Section 20 of the Renewable and Low Carbon Fuel Requirements Regulation, B.C. Reg. 394/2008, is amended by striking out “section 9, 11 or 12” and substituting “section 9, 10, 11 or 12”.*

## APPENDIX 2

- 1 Section 5 (1) of the Renewable and Low Carbon Fuel Requirements Regulation, B.C. Reg. 394/2008, is repealed and the following substituted:*

- (1) The following substances are prescribed as renewable fuel in relation to gasoline class fuel:
- (a) gasoline produced from biomass;
  - (b) naphtha produced from biomass.

- 2 The following section is added to Part 1:*

### **Definition of “supply” – Part 3 fuels – electricity**

- 6.11** (1) In this section:

“**final supplier**”, in relation to electricity, means the person who provides the electricity through final supply equipment;

“**final supply equipment**” means a charging station or other equipment that is the final equipment through which electricity is provided to a vehicle, vessel, conveyor system or other means of transportation;

“**Translink**” has the same meaning as “authority” in section 1 (1) of the *South Coast British Columbia Transportation Authority Act*.

- (2) This section applies, despite section 6.1 (3), in relation to electricity supplied on or after January 1, 2022.
- (3) Subject to subsections (4) and (6),
- (a) the definition of “supply” in section 1 of the Act does not apply in relation to a sale of electricity by a person who is not the final supplier of the electricity, and
  - (b) the final supplier of the electricity is made the Part 3 fuel supplier of the electricity as follows:
    - (i) if the final supplier sells the electricity as the final supply, the sale is deemed to be the first sale of the electricity after it is manufactured or brought into British Columbia;
    - (ii) if the final supplier gives away or otherwise uses the electricity as the final supply, the final supplier is prescribed as a Part 3 fuel supplier for the purposes of paragraph (b) of the definition of “Part 3 fuel supplier” in section 1 of the Act.
- (4) Subject to subsection (6), if a person sells electricity to a person who uses the electricity as specified in subsection (5),

- (a) the definition of “supply” in section 1 of the Act does not apply in relation to any other sale of the electricity, and
  - (b) the sale is deemed to be the first sale of the electricity after it is manufactured or brought into British Columbia.
- (5) For the purposes of subsection (4), the following uses are specified:
- (a) to charge a vehicle at a residential building that includes fewer than 5 dwelling units;
  - (b) to power an electric train operated by Translink on a fixed rail that was operated by Translink on December 31, 2020 or a replacement fixed rail installed in the same location;
  - (c) to power a trolley bus operated by Translink on trolley wires that were operated by Translink on December 31, 2020 or replacement trolley wires installed along the same roads.
- (6) If a person who sells electricity as described in subsection (4) agrees in writing with a person who previously sold the electricity that the person who previously sold the electricity is to be the Part 3 supplier of the electricity,
- (a) the definition of “supply” in section 1 of the Act does not apply in relation to a sale of electricity other than the previous sale, and
  - (b) the previous sale is deemed to be the first sale of the electricity after it is manufactured or brought into British Columbia.

**3 Section 11.02 (3) is amended by repealing Table 3 and substituting the following:**

**Table 3**

<b>COLUMN 1 Fuel</b>	<b>COLUMN 2 Energy Density/Unit</b>
Petroleum-based diesel fuel or diesel fuel produced from biomass	38.65 MJ/L
Hydrogenation-derived renewable diesel fuel	36.51 MJ/L
Biodiesel	35.40 MJ/L
Petroleum-based gasoline, natural gas-based gasoline or gasoline produced from biomass	34.69 MJ/L
Naphtha produced from biomass	32.76 MJ/L
Ethanol	23.58 MJ/L
Hydrogen	141.24 MJ/kg
LNG	52.46 MJ/kg
CNG	37.85 MJ/m <sup>3</sup>
Propane	25.47 MJ/L
Electricity	3.60 MJ/kWh