

1 Q. **Reference: Reliability and Resource Adequacy Study 2022 Update, Volume I, page 5, lines 17-**
2 **19.**

3 Hydro mentions the Clean Electricity Standard. Describe specifically how, beyond monitoring,
4 Hydro plans to address this initiative.

5

6

7 A. Please refer to PUB-NLH-231, Attachment 1 for a discussion paper from Environment and
8 Climate Change Canada relating to a Clean Electricity Standard in support of a net-zero
9 electricity sector.¹

10 In addition to monitoring the Clean Electricity Standard initiative, Newfoundland and Labrador
11 Hydro (“Hydro”) will incorporate its potential implications into long-term decisions relating to
12 resource planning. For example, as per PUB-NLH-231, Attachment 2,² Environment and Climate
13 Change Canada has indicated that there will be stringent performance standards for any new
14 generation³ starting on January 1, 2035. The details of such standards are not yet defined;
15 however, any consideration of thermal alternatives must include an assessment of the
16 following:

- 17 ● Production profiles and volumes of emissions in consideration of potential limits and
18 cost;
- 19 ● Potential application of abatement technologies and their cost;
- 20 ● System reliability implications; and
- 21 ● Application and viability of renewable fuels.

¹ “A Clean Electricity Standard in support of a net-zero electricity sector,” Environment and Climate Change Canada, March 8, 2022,

<https://www.canada.ca/en/environment-climate-change/services/canadian-environmental-protection-act-registry/achieving-net-zero-emissions-electricity-generation-discussion-paper.html#toc0>

² “Responses to questions posed during the Clean Electricity Regulations (CER) Webinars of 21 & 22 July 2022,” Department of Environment and Climate Change Canada, received by Hydro on January 22, 2022

³ New generation is specified as a unit that is placed in service on or after January 1, 2025.

1 An understanding of this will allow Hydro to understand the full long-term cost implications of
2 thermal generating solutions and to make long-term decisions to ensure least-cost, reliable
3 supply for customers.



A Clean Electricity Standard in support of a net-zero electricity sector

Discussion paper



Last updated: March 8, 2022

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Glossary

For the purposes of this discussion paper, it should be understood that the term:

Low-Emitting Generation means electricity that was produced in a manner that releases a small amount of GHGs (for example, 50 tonnes CO₂/GWh or less) as a result of fuel combustion, relative to unabated fossil fuel generation. One example of low-emitting generation could be natural gas-fired electricity generation where emissions are largely, but not entirely, captured through Carbon Capture Utilization and Storage (CCUS). Lifecycle emissions created in the manufacturing of generation equipment or during fossil fuel extraction and transportation to the site of combustion are not included.

Economy-wide Net-Zero by 2050 means Canada's stated goal of having the Canadian economy achieve either no emissions of greenhouse gases (GHG) by 2050, or that all emissions are completely compensated for by removing carbon from the atmosphere (negative emissions) through other actions, for example, planting trees or CCUS deployment. In realizing this goal, it is expected that some economic sectors, facilities, institutions, and other sources of GHG emissions that are difficult to eliminate entirely would continue to emit some GHGs, but at levels much lower than current rates and thus could be balanced by negative emissions elsewhere in the economy.

Net-Zero Electricity means Canada's stated goal of having the electricity sector achieve, in effect, no emissions of greenhouse gases (GHG) by 2035, or emissions are offset by other actions that remove carbon from the atmosphere. This only includes direct emissions and does not include lifecycle or upstream emissions. In realizing this goal, it is expected that some low-emitting generation facilities may continue to operate past 2035. The emissions resulting from this operation would need to be balanced by removals in or attributed to the sector.

Negative Emissions refers to the removal of greenhouse gases (GHGs) from the atmosphere by deliberate human activities (for example, planting trees and deploying Direct Air Capture (DAC) and storage), that is, in addition to the removals that would occur via natural carbon cycle processes.

Non-Emitting Generation means electricity produced in a manner that does not directly release any greenhouse gases (GHGs) as a result of fuel combustion. Non-emitting generation sources include hydro, wind, photovoltaic solar, concentrated solar-thermal, geothermal, and nuclear, among others. While non-emitting sources can produce lifecycle GHG emissions from activities other than fuel combustion (for example, hydro reservoirs can release methane over time), attributing these emissions to electricity still results in a relatively low lifecycle emissions intensity.

Offset Credits represent GHG emission reductions or removals generated from activities that are additional to what would have occurred in the absence of the offset project (that is, generated from activities that go beyond legal requirements and a business-as-usual standard). Generally, each offset credit generated by an offset project represents 1 tonne of carbon dioxide equivalent (CO₂e) reduced or removed from the atmosphere.

The **Electricity System** is a complex network of power generating plants, transmission and distribution wires that produce and deliver electricity to end-users, such as households, businesses, vehicle

charging stations, and other critical infrastructure in the local, regional and national economy. This complex system is often referred to as the power grid.

1) Purpose

The Government of Canada is taking further action to reduce greenhouse gas (GHG) emissions from the generation of electricity to achieve a net-zero electricity supply by 2035 (NZ2035). This will contribute significantly to meeting Canada's broader goal of achieving net-zero emissions economy-wide by 2050.

The transition to a net-zero electricity supply by 2035 will be transformational. The effort will involve multiple measures and jurisdictions working together to achieve a clean, reliable and affordable electricity system. A Clean Electricity Standard (CES) under the *Canadian Environmental Protection Act, 1999* (CEPA) will be a key part of this suite of measures.

The purpose of this discussion paper is to send a clear signal that the Government of Canada intends to move forward with regulations to achieve a net-zero electricity system by 2035; to outline considerations related to this objective; and to solicit comments from Canadians regarding the scope and design of the CES. While the main objective of this document is to inform and collect feedback regarding the CES, it also welcomes input on other relevant measures that would support the net-zero 2035 target. The treatment of electricity under the current *Output Based Pricing System Regulations* (OBPSR) will also be reviewed as part of this process.

2) Introduction

The Intergovernmental Panel on Climate Change's (IPCC) *Special Report on Global Warming of 1.5 °C* concludes that achieving net-zero global GHG emissions by 2050 is necessary to avoid the worst impacts of climate change. Globally, pledges to reach net-zero by national governments, industries, companies, and others now cover almost 80% of the global economy. The United States and the European Union have committed to reducing GHG emissions by 50% from 2005 levels by 2030, while the UK has legislated a 78% emissions reduction from 1990 levels by 2035.

Canada must keep pace with, or even exceed, these targets in order to lead and compete in a net-zero emissions future. Within Canada, all provinces and territories, except for Alberta and Nunavut, have set an economy-wide GHG emissions reduction target, which range from 30% to 53% reductions over 2005 levels by 2030. Similarly, a number of Canadian companies, including many in the electricity generation sector, have made pledges to achieve net-zero emissions. In line with this ambition, both internationally and within Canada, in 2020 the Government of Canada committed to reaching net-zero emissions economy-wide by 2050¹, including achieving net-zero electricity.²

On December 11, 2020, the Government announced [Canada's Strengthened Climate Plan for a Healthy Environment and a Healthy Economy](#) which indicated the government would: "Work with provinces, territories, utilities, industry and interested Canadians to ensure that Canada's electricity generation achieves net-zero emissions before 2035." The cornerstone of this effort will be the CES complemented by other policies, programs, and the \$15 billion in investments announced under the plan in order to reduce emissions and build a clean economy. In April 2021, the Government of Canada committed to a

¹ See **Glossary**: "Economy-wide net-zero by 2050."

² See **Glossary**: "Net-Zero Electricity."

national target of reducing GHG emissions by 40% to 45% below 2005 levels by 2030. At the 26th United Nations Framework Convention on Climate Change Conference of the Parties, Prime Minister Trudeau stated Canada's goal of establishing a net-zero emissions electricity system by 2035 (NZ2035). This commitment was reflected in the mandate letters for the ministers of the Environment and of Natural Resources in December 2021.

The actions required to meet Canada's Net-Zero 2050 economy-wide goal will require transforming Canada's energy systems.³ Electrification – the process of replacing technologies that are powered by fossil fuels with those that use electricity – will play a key role in this transformation. While the transition to a net-zero economy will not rely solely on electrification, a net-zero electricity system will be essential to achieving economy-wide Net-Zero 2050. However, there is the potential for electrification to contribute to increased GHG emissions from the electricity sector, despite reducing overall energy emissions, if the expected increased demand is met through carbon-emitting electricity generating sources. Action is required now to prevent that from happening.

Achieving net-zero electricity will require coordinated efforts. Provinces and territories hold jurisdiction over electricity planning and operation, while the federal government holds jurisdiction over emissions reduction regulations, interprovincial transmission projects, and international commitments, among others. Provinces, territories and the federal government all hold jurisdiction over environmental protection. Indigenous Peoples are important partners on critical projects and decarbonisation efforts. As such, close partnerships between multiple levels of government will be important to ensure a smooth transition.

In response to the Government of Canada's commitment to achieve a net-zero emissions electricity sector by 2035, this discussion paper will launch a collaborative process between the federal government, provinces, territories, and Indigenous groups. This process will help ensure that the design of the CES provides a clear and workable basis for provinces and territories to be able to plan and operate their electricity systems in a way that will continue to reliably deliver affordable electricity to Canadians. We recognize that establishing a net-zero-emitting electricity sector will largely be the work of provinces and territories, and a CES would provide the regulatory signal to support decision-making at the provincial and territorial level that would allow Canada to achieve this goal.

There are many important aspects to consider, and this discussion paper launches consultations to ensure that the Government of Canada considers the appropriate expertise, perspectives, and interests to develop the most effective and well-designed regulatory approach.

There are other federal policies that can support the effort to move towards a net-zero electricity system, such as support for infrastructure or tax incentives to encourage investments in or the deployment of clean generation. While views on other federal policies will be noted during CES consultations, potential new actions to support the transition will be discussed in a separate process. Natural Resources Canada will engage over the coming year on the broader strategy for achieving a NZ2035 transition.

³ See **Annex A** for more information on Canada's current electricity generation mix.

3) The need for a clear and early regulatory signal to achieve NZ2035

Canada's electricity sector has already contributed significantly to Canada's efforts to reduce GHG emissions and will play a major role in the transition to net-zero, both through additional reductions in the electricity sector and by enabling reductions in other sectors through the supply of clean electricity for the electrification of activities currently powered by GHG emitting fuels. There are economic opportunities for Canada to build on this strength as our economy makes the transition to net-zero.

Canada's electricity sector is currently 82% non-emitting and has significantly reduced its GHG emissions since 2005, even as generating capacity has increased modestly. This is a result of actions by provincial utilities and other electricity generators, as well as provincial and territorial policies that have reduced or limited GHG emissions from the electricity sector within their jurisdiction. Federal policies such as carbon pricing and regulations requiring the phase-out of coal-fired plants have also played a role.⁴

Despite these reductions, electricity generation is Canada's 4th largest source of emissions, accounting for 8.4% of Canada's total GHG emissions in 2019. Without additional policy measures, there is real potential for the current emissions reduction trend in the electricity sector to reverse. While the phase-out of conventional coal-fired electricity generation by 2030 will reduce emissions, much of this phase-out is currently planned to be accomplished by a shift from coal to natural gas. According to the Canadian Energy Regulator's Canada Energy Futures 2021 report, approximately 8,900 MW of new natural gas generating capacity is projected to be added by 2035 under current federal, provincial and territorial policies.⁵

There is also the potential for emissions to grow from the addition of emitting generation to meet the increasing demand for electricity as other parts of the economy switch from carbon-based fuels to electricity in order to decarbonize their own activities. Several potential net-zero 2050 pathways, developed by various government, academic and research organizations, have concluded that electricity generation may need to double over the next few decades. In order to ensure that the entire economy achieves net-zero 2050, however, virtually all of this additional generation would need to come from non-emitting or low GHG-emitting generating sources.⁶

Due to the long life of power generation assets, investments in emitting sources made today will directly impact our ability to meet the 2035 and 2050 goals. Building new high-emitting assets now risks transferring electricity rate increases to future generations, since these emitting assets will need to be extensively retrofitted or shut down before the end of their economic life in order to meet emissions

⁴ See **Annex B** for a list of federal policy initiatives that impact the electricity sector.

⁵ Consistent with Canada Energy Regulator's Canada's [Energy Future 2021: Energy Supply and Demand Projections to 2050](#)

⁶ See **Glossary**: "Low-emitting Generation."

standards. Some could become stranded assets as Canada, along with the world, makes the transition to net-zero emissions.

Sending a clear regulatory signal now should discourage further investments in assets that could become stranded in the years to come by this inevitable transition. Further, it is possible that Canada's main trading partners, such as the European Union and the United States, could enact border carbon adjustments (BCAs) in the future, meaning that these countries would add a tariff to imports to avoid creating trade advantages for countries with less ambitious climate policies than their own. If this happens, then a net-zero emitting electricity sector could help protect and, in some cases, strengthen the competitiveness of Canadian-made electricity-intensive products in these markets. In addition, private sector participants with strong Environmental, Social and Governance (ESG) commitments will see Canada's clean supply of electricity as a reason to deploy capital in the country and key strategic regions.

As we approach meeting the 2035 target for a net-zero electricity system, continued reliance on natural gas will increasingly require the mitigation of its GHG emissions. Current and emerging technologies, including carbon capture, utilization and storage (CCUS) and non-emitting hydrogen blended with natural gas to generate electricity, could help make natural gas an option for low-emitting generation. Over time, however, natural gas coupled with CCUS will increasingly be in competition with other emerging options that are both non-emitting and flexible in the roles they can play in electricity systems. These include long- and medium-duration energy storage, geothermal energy, and small modular nuclear reactors (SMRs). Solutions such as these are rapidly advancing and decreasing in cost, and a CES could provide the regulatory signal to accelerate their deployment across Canada. These emerging technologies could support electricity system stability in addition to increased inter-provincial trade of hydroelectricity. Investments in non-emitting generation and the shift towards a net-zero electricity system needs to start without delay.

Although several low and non-emitting generation technologies are becoming more cost-competitive, the pace of low-carbon electricity deployment must accelerate for Canada to reach NZ2035. As such, the normal investment cycle and capital-replacement rate must also accelerate to enable new and emerging technologies to enter the marketplace rapidly. This acceleration will entail significant capital expenditures. Retrofitting existing equipment to reduce emissions, such as modifying natural gas turbines with turbines able to combust hydrogen, may provide some significant financial upside in the transition to a low-carbon environment.

A well-defined and targeted approach to achieving NZ2035 will provide assurance to investors and developers of non-emitting technologies that their investments and products will have a role in Canada's evolving electricity systems. Regulatory certainty will thus enable a smoother transition to non-emitting electricity generation, an increase in adoption rates, less risk for utilities and other electricity generators, and more limited impact on ratepayers.

4) The proposed CES regulations

While carbon pricing is a foundational measure in Canada’s overall approach to reducing GHG emissions, it is designed to incent the lowest cost reductions across the economy and does not guarantee emission reductions in specific and targeted sectors. Given the long lifespan of electricity generation assets, decisions made over the next few years will impact Canada’s GHG emissions for decades. Therefore, carbon pricing alone is not sufficient to ensure that the electricity sector achieves net-zero emissions by 2035, or likely even by 2050. A Canada-wide CES will complement carbon pricing by requiring the phase-out of all conventional fossil fuel electricity generation. In tandem, carbon pricing will incent fuel switching in other sectors to drive increased demand for clean electricity.

Regulations to limit fossil fuel generation must be decisive and swift enough to prevent locking in new fossil fuel infrastructure that will persist beyond 2035. These policies must also be flexible enough to account for regional differences, such as resource availability and interconnection (inerties) with neighbouring jurisdictions. In the end, all actions taken together will ensure that electricity is clean, reliable and affordable for all Canadians.

The Government of Canada is planning new regulations under CEPA for all sources of emitting electricity generation that sell to the electricity system (grid). A CES regulation would set emissions performance standards for emitting electricity generators to ensure that the electricity sector transitions to NZ2035.

The final form of the CES’ scope and design will be influenced by the full set of changes needed to transition the electricity sector to NZ2035 while providing increased supply of electricity to support electrification, and the role of available technologies in the provision of clean power to Canadians.

The electricity sector must achieve net-zero emissions while ensuring sufficient electricity is available when and where we need it. The scope and design of the CES will thus need to be stringent enough to achieve its objectives while including compliance flexibility to allow for the possibility of some natural gas. As natural gas currently plays a critical role in the electricity sector by providing fast-response power⁷, exploration of the continued operation of natural gas assets in special circumstances may be needed. This includes providing flexibility to essential uses of natural gas, such as for emergency events, back-up power to complement variable renewables, and potentially supplying power during seasonal peaks of demand.

The CES will also be technologically neutral in setting the value of its standards, allowing electricity generators and decision makers the widest possible array of supply options that can contribute to the goal of achieving emission reductions.

Compliance flexibilities can thus ease the transition and ensure a reliable electricity system. Possibilities include the use of robust GHG offsets to assist with compliance with the CES as a transitional measure. Carbon dioxide removal technologies such as DAC with carbon sequestration and Bioenergy Carbon, Capture, and Storage (BECCS) have been frequently mentioned in literature as central to achieving net-zero due to their potential to achieve “negative emissions” and would enable further reductions

⁷ See **Annex A** for more details.

attributable to the electricity sector. Consideration would need to be given to the scope of what emissions could be offset.

Finally, it will be necessary to ensure that the CES and the treatment of electricity generation under the federal Output-based Pricing System Regulations (OBPSR) are synchronized. The treatment of electricity under carbon pricing should maintain the incentive created by the carbon price for industrial facilities to innovate and reduce emissions, and continue to minimize carbon leakage and competitiveness risks. This may require modifications to the Output-based Standard (OBS) for electricity under the OBPSR. Similarly, where provincial or territorial carbon pricing systems cover electricity emissions, provincial/territorial governments may need to consider how to ensure their carbon pricing systems and the CES can be complementary.

5) Working together to achieve NZ2035

Achieving a net-zero electricity system throughout Canada represents a large economic, technical, and societal challenge. The structure of Canada's electricity sector means that the CES will need to be complemented by actions at all levels of government. A whole-of-government approach, coupled with commercial and sustainable viability is critical for the transition.

Accordingly, Environment and Climate Change Canada will engage with the public on the design of the CES as a key component of the larger objective of achieving net-zero emissions from electricity by 2035, while Natural Resources Canada will engage in a linked but parallel process on the development of other measures that will also contribute to this objective.

5.1 The importance of Canada-wide collaboration

Provinces and territories, as well as electricity generators and their regulators, will all play a critical role in achieving NZ2035 by supporting the transformation of the electricity system through their policies related to investments, regulating of the various aspects of electricity generation, and ensuring electricity distribution and supply. Throughout the transition to an electricity supply that is both net-zero emitting and substantially increased, provinces and territories will determine the measures needed to ensure reliable, affordable electricity within their own jurisdiction.

To mitigate rate increases, provinces and territories will have to manage several factors, including:

- 1) The technical challenge of integrating wind and solar into the electricity system while maintaining reliability and de-risking intermittency challenges
- 2) Managing the system-wide impacts of increased demand as electrification links more end-uses, such as transportation, to the electricity system
- 3) The cost-effective deployment of emerging non-emitting options like long and medium-duration energy storage alternatives, geothermal and SMRs

- 4) Providing incentives and programming for energy efficiency and demand-side management to minimize overall demand and help consumers reduce their electricity consumption, reducing their exposure to rate increases

There are significant regional differences in current electricity generation across Canada. The impacts of a CES will be largest in fossil fuel-dependent electricity generating regions including Alberta, Saskatchewan, New Brunswick, Nova Scotia, and Ontario. Nunavut, Yukon, and Northwest Territories will face unique challenges as remote, off-grid communities transition away from diesel (see Annex A). The Government of Canada will continue to work closely with provinces and territories as they address these complex challenges, and will support the development of interties to bring clean energy to where it is needed. Support for smart grids, interties, and new ways of managing power (such as distributed generation and energy storage) will be helpful in the context of these challenges.

Wind and solar will play a key role in reducing the sector's emissions. These renewable sources of energy are both cost-competitive and widely available, as is demonstrated by their ongoing rapid expansion throughout every region of Canada. Increased reliance on these intermittent resources will require careful planning so that electricity system stability and reliability are maintained. The efficient integration of wind and solar will involve market and regulatory reforms, expansion and reinforcement of transmission and distribution infrastructure, and unlocking flexibility within the broader electricity system. Utilities, other electricity generators, regulators and system operators will need to move rapidly to ensure that sufficient firm supply is in place to back a larger intermittent supply.

The "Atlantic Loop" project is an example of collaboration to bring clean power to where it's needed in Eastern Canada. The Government of Canada and the Canada Infrastructure Bank are currently collaborating with provinces and regional partners to advance this intertie project, which could greatly reduce emissions and maintain electricity affordability in the Atlantic region.

As the clean energy sector expands, the Government of Canada is committed to working with provinces and territories, Indigenous groups, industry, labour organizations, and others to ensure that workers affected by the transition to a net-zero economy can access the resources and build the skills required to work in clean energy. Creating good, well-paying jobs in the net-zero economy and ensuring that workers have the right tools and skill sets is essential to building a sustainable and prosperous future for Canada.

5.2 Additional federal actions and complementary policies

A successful and smooth transition to net-zero electricity generation will require a significant shift in the behaviour and operations of utilities and other electricity generators, provinces, territories, industry and other customers. The federal government will continue to provide support during this complicated transition, both through existing programs and through additional actions and complementary policies.

Considering the timeframe in which action must be taken and the amount of transformation that will need to occur, no single policy measure will suffice on its own. The Government of Canada is already investing in electricity infrastructure improvements, non-emitting electricity generation, and the development and deployment of emerging technologies. Measures specific to the electricity sector in the strengthened climate plan include:

- Investing an additional \$964 million over 4 years to advance smart renewable energy and modernization projects for electricity systems, to enable the clean systems of the future
- Investing an additional \$300 million over 5 years to advance the Government's commitment to ensure that rural, remote, and Indigenous communities that currently rely on diesel have the opportunity to be powered by clean, reliable energy by 2030
- Further supporting necessary intertie project pre-development work by providing \$25 million in 2021-22 to help some proponents conduct engineering assessments, community engagement, and environmental and regulatory studies
- Working with provinces and territories to help build key intertie transmission projects with support from the Canada Infrastructure Bank

Through the *Investing in Canada* infrastructure plan, the Canada Infrastructure Bank (CIB) announced a \$10 billion Growth Plan, which includes \$2.5 billion for clean power projects (including renewable generation and storage) and electricity transmission between provinces, territories, and regions (including to northern and Indigenous communities). These investments will help to lower the costs of reducing emissions from the electricity sector for consumers and leverage the significant opportunity presented by new and emerging technologies.

The federal government will continue to explore how federal investments in infrastructure can support pathways to scale technology solutions in regulated and unregulated electricity markets with the ultimate goal of an affordable and reliable energy transition.

If ongoing engagement indicates a need for new measures, the government will consider them in close collaboration with provinces and territories, utilities and other electricity generators, Indigenous peoples, and other stakeholders to ensure that they effectively support the electricity sector as it evolves to meet the considerable technical challenge of reaching net-zero electricity by 2035.

6) Key questions

The Government of Canada is seeking input regarding federal regulatory actions to support net-zero electricity generation by 2035. Please consider the following questions to support your input.

General

1. Should interim standards be included in the period before 2035?
2. How should the CES regulation be designed to minimize stranded capital assets and associated rate impacts?
3. What would be an acceptable end-point emissions intensity standard to achieve the objective of the CES?
4. How do considerations differ for non-competitive electricity markets, vertically integrated utilities, etc.?

Compliance Flexibilities

5. Should the CES offer compliance flexibilities?
 - a. What kinds of flexibilities?
 - b. Should the flexibilities be targeted to individual generating units? To corporate fleets of units, such as fleet averaging, etc.?
 - c. What constraints or limitations should be incorporated into flexibilities?
6. Under what conditions should offset credits available through federal, provincial/territorial, or other programs be permitted?
7. To what extent can negative emission technologies like BECCS and DAC contribute to meeting the obligations of a CES regulation? To what extent should they be allowed to contribute to meeting those obligations?
8. Should compliance be assessed for the electricity sector on an annual or multi-year basis?

Alignment with carbon pricing⁸

9. Should the way in which electricity generation is currently treated by carbon pricing be changed to facilitate achieving NZ2035?
10. How might the treatment of electricity under the OBPS have to change to align with the CES?

Treatment of natural gas generation

11. What is the role of natural gas in a net-zero electricity sector before 2035? Post-2035?
12. What flexibility should be allowed to use natural gas to maintain reliability in rare and extreme weather, emergencies, or other special circumstances? Which additional operating conditions/scenarios, if any, should be given special consideration?

⁸ Please see **Annex B**, "Regulations," for an overview of carbon pricing in Canada.

- a. If natural gas has an electricity system-support role post-2035, what are the expected impacts on the rollout of emerging system support technologies such as energy storage?
- b. If natural gas has a role in generation post-2035, what are the expected impacts on the penetration of nascent generation technologies like SMRs, geothermal electricity, etc.?

Treatment of industry, private generation and remote generation

13. How should the CES treat electricity generated by cogeneration units that is sold to the electricity system? Should the CES apply fully to cogeneration units by 2035 or should it phase-in its application to cogeneration units after 2035?
14. What are the benefits of applying a CES to industrial generation units? What are the challenges of doing so? Of not doing so?
15. How should the CES consider electricity generation in remote, northern, and Indigenous communities?
16. How should the CES consider distributed energy resources?

Treatment of biomass

17. If CO₂ emissions from biomass combustion are not counted towards compliance under a CES, to what degree might biomass generation increase?
18. What types of biomass are suited to electricity generation? What are their characteristics with respect to regenerative life cycle, non-CO₂ GHG emissions, and land use characteristics?
19. What emissions reporting and compliance requirements for biomass generation should be considered to ensure that nature is protected and land-based emissions do not increase?

Other Questions

20. What additional investments are anticipated to be necessary to achieve NZ2035 to help ensure affordability for consumers?
21. What role could existing and expanded energy efficiency programming play in helping to meet new demand as they transition towards net-zero 2035? What are the constraints for additional efficiency measures? Technological? Policy? Other?
22. What other factors should the government consider in developing the CES?

7) Next steps

This discussion paper seeks input to inform the development of regulatory action to support net-zero electricity generation by 2035. This input will help to ensure that the Government of Canada considers the appropriate expertise, perspectives, and interests as part of a meaningful engagement process. The goal is to develop policies that support economic growth, reduce GHG emissions from electricity generation in a way that achieves a net-zero electricity system by 2035 as other parts of the economy electrify while continuing to ensure affordable, reliable power to Canadians.

Following the publication of this discussion paper, ECCC will continue to engage with provinces, territories, Indigenous Peoples, utilities and other electricity sector stakeholders, industry, non-governmental organizations, and Canadians on regulatory design and, where relevant, complementary measures.

Parties wishing to comment on any aspect of this paper, including responding to questions posed, are invited to provide written comments to ECD-DEC@ec.gc.ca by April 15, 2022. Comments received will help to inform federal policy actions to achieve net-zero electricity generation, as part of an ongoing engagement process.

Annex A– Cost and technological readiness of important technologies

The following table presents an indicative list of electricity generation technologies and associated costs.

Table 1: Cost⁹ and Technology Readiness Level (TRL)¹⁰ of technologies (EIA Annual Energy Outlook 2021 and IEA Clean Energy Technology Guide, 2021)

Technology (cont.) ¹¹	Fuel type	Size (MW)	Lead time (years)	Total overnight cost (2021 CAD /kw)	Variable O&M (2021 CAD /MWh)	Fixed O&M (2021 CAD /kw-yr)	Technology readiness level 1 (Initial idea)- 11 (Proof of stability reached)
Ultra-supercritical coal with 90% CCS	Coal	650	4	\$8,413.75	\$14.59	\$79.17	4-5
Combined cycle--single shaft	Natural Gas	418	3	\$1,525.27	\$3.39	\$18.75	11
Combined-cycle--multi shaft	Natural Gas	1083	3	\$1,348.74	\$2.49	\$16.22	11
Combined-cycle with 90% CCS	Natural Gas	377	3	\$3,613.15	\$7.76	\$36.69	5-6
Simple cycle natural gas – aeroderivative ¹²	Natural Gas	105	2	\$1,643.38	\$6.25	\$21.67	11
Simple cycle natural gas— industrial frame	Natural Gas	237	2	\$996.95	\$5.98	\$9.31	11

⁹ Energy Information Agency. 2022. *Annual Energy Outlook 2022. "Cost and Performance Characteristics of New Generating Technologies."* (Source of lead time, total overnight cost, variable O&M, fixed O&M)

¹⁰ International Energy Agency. 2021. *ETP Clean Energy Technology Guide.*

¹¹ Non- Abated fossil fuel generation included for cost comparison

¹² Compared to industrial frame CTs of the same MW output, aeroderivative CTs are lighter weight, have a smaller size footprint, and are made of advanced materials because they were adapted from aircraft engines.

Technology (cont.)	Fuel type	Size (MW)	Lead time (years)	Total overnight cost (2021 CAD /kw)	Variable O&M (2021 CAD /MWh)	Fixed O&M (2021 CAD /kw-yr)	Technology readiness level 1 (Initial idea)- 11 (Proof of stability reached)
Fuel cells	Hydrogen	10	3	\$9,174.48	\$0.79	\$40.93	7-9
Nuclear—light water reactor	Uranium	2156	6	\$8,928.10	\$3.15	\$161.73	10-11
Nuclear—small modular reactor	Uranium	600	6	\$9,584.69	\$3.99	\$126.31	6-9
Battery storage (Lithium-ion utility-scale)	n/a	50	1	\$1,671.32	\$0.00	\$32.97	9
Biomass	Biomass	50	4	\$5,746.75	\$6.43	\$167.16	4-10
Geothermal	n/a	50	4	\$3,906.52	\$1.54	\$181.89	4-11
Municipal solid waste--landfill gas	n/a	36	3	\$2,213.61	\$8.24	\$26.72	7
Conventional hydropower	n/a	100	4	\$3,915.41	\$1.85	\$55.60	11
Wind, onshore	n/a	200	3	\$2,181.86	\$0.00	\$35.01	9-10
Wind, offshore seabed fixed	n/a	400	4	\$7,672.07	\$0.00	\$146.25	9
Solar thermal	n/a	115	3	\$10,026.65	\$0.00	\$113.53	9
Solar photovoltaic (PV) with tracking	n/a	150	2	\$1,685.29	\$0.00	\$20.28	9-10
Solar PV with storage	n/a	150	2	\$2,219.96	\$0.00	\$42.76	9-10

Table 2: Technological readiness level key (International Energy Agency, 2021)

Readiness Level	Definition	Explanation
1	Initial idea	Basic principles have been defined
2	Application formulated	Concept and application of solution have been formulated
3	Concept needs validation	Solution needs to be prototyped and applied
4	Early prototype	Prototype proven in test conditions
5	Large prototype	Components proven in conditions to be deployed
6	Full prototype at scale	Prototype proven at scale in conditions to be deployed
7	Pre-commercial demonstration	Prototype working in expected conditions
8	First of a kind commercial	Commercial demonstration, full-scale deployment in final conditions
9	Commercial operation in relevant environment	Solution is commercially available, needs evolutionary improvement to stay competitive
10	Integration needed at scale	Solution is commercial and competitive but needs further integration efforts
11	Proof of stability reached	Predictable growth

The following table presents the direct GHG emission intensities of electricity generation technologies.

Table 3: National Electricity Generation GHG Emission Intensities by Technology (From the internal version of ECCC's Fuel Life Cycle Analysis (LCA) Model as of March 1, 2022)

Technology Generation Pathway (Canada)	Direct Emissions (tCO ₂ e/GWh)
Biomass, wood, cogeneration	15.4
Biomass, wood, simple cycle	28.5
Coal, bituminous	1036.0
Coal, lignite	721.2*
Coal, sub-bituminous	660.7*
Heavy fuel oil	906.9
Hydro, reservoir	0.0
Hydro, run-of-river	0.0
Natural gas, cogeneration	258.1
Natural gas, combined cycle	305.8
Natural gas, converted boiler	557.5
Natural gas, simple cycle	478.4
Nuclear, CANDU	0.0
Solar, concentrated solar power	0.0
Solar, photovoltaic	0.0
Wind, onshore	0.0
Diesel, on-grid	736.2

* Values under review

Annex B – Canada’s electricity sector

Electricity generation sources vary significantly across Canada’s provinces and territories due to regional factors such as resource availability and industrial heat and power needs (see figure 1).

Figure 1: Provincial GHG emissions and Electricity by Energy Source in 2019 (2021 NIR)

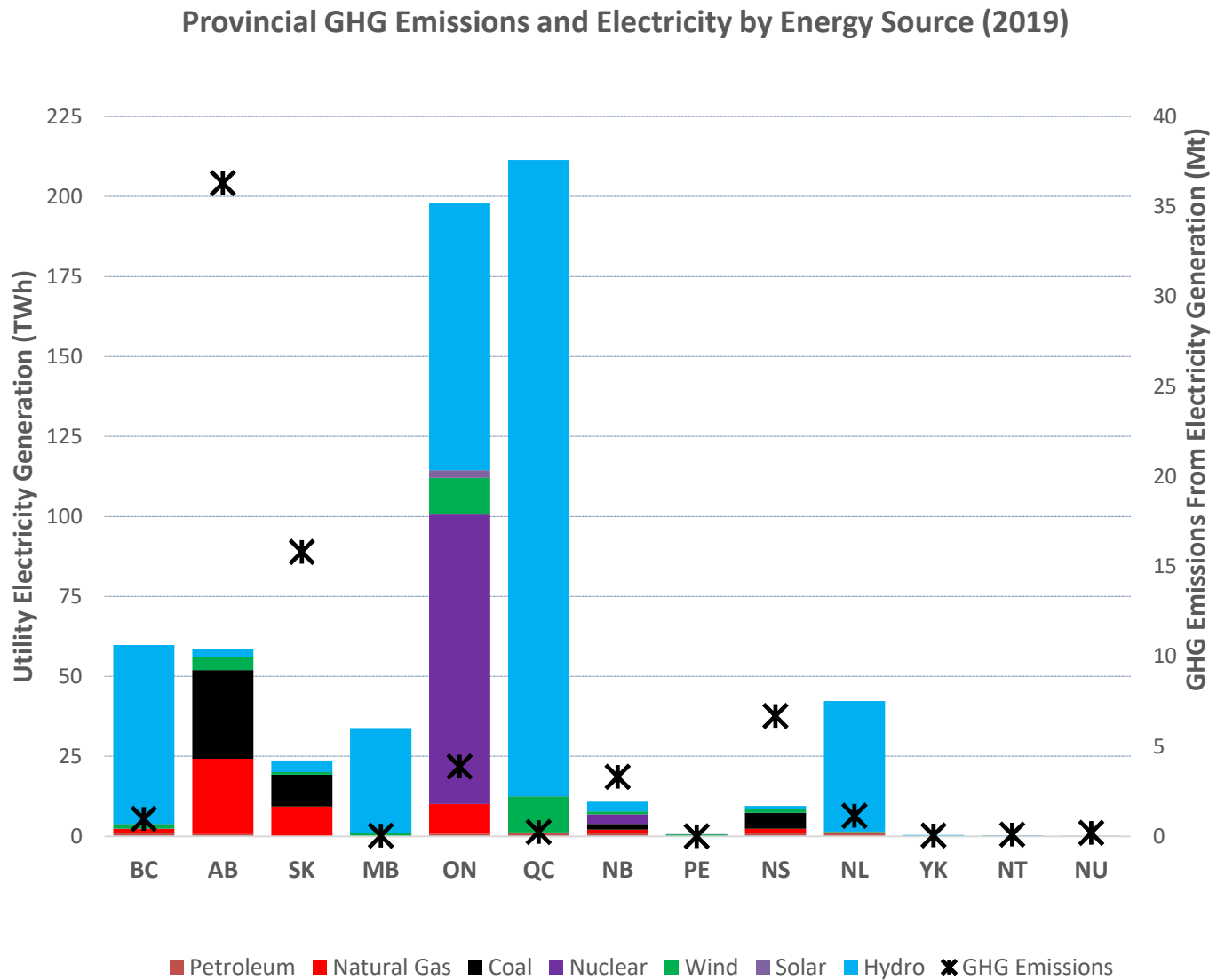


Table 4: GHG emission data from electricity generation (National Inventory Report, 2021) (kt CO₂e)**

Source of Combustion	1990	2000	2005	2013	2014	2015	2016	2017	2018	2019
Coal	80 500	109 000	98 200	63 800	60 300	62 300	57 100	57 200	44 100	42 500
Natural gas	2 720	13 800	15 400	18 600	18 600	19 300	18 300	16 300	20 900	21 900
Other fuels	11 300	9 380	11 200	4 860	4 860	5 400	5 020	4 800	4 610	4 200
Other emissions	-	27	52	63	73	87	80	80	78	80
Total	94 500	132 000	125 000	87 500	83 800	87 000	80 500	78 400	69 800	68 600

** NIR GHG Emissions Data for electricity generation includes utility-owned industrial generation units.

GHG emissions by generation source

The following generating sources account for GHG emissions from the electricity sector:

Coal

In 2018, coal-fired generation provided approximately 9% of Canada's utility electricity generation and was responsible for approximately 63% of GHG emissions from the electricity sector. Coal continues to be a key electricity source in 4 provinces: Alberta (43%), Saskatchewan (47%), New Brunswick (21%) and Nova Scotia (58%) (2018). The Government of Canada has taken regulatory action to phase out conventional coal-fired electricity by 2030, through the ECCC-led *Reduction of Carbon Dioxide Emissions from Coal-fired Generation of Electricity Regulations*. Provincial governments, including in Alberta and Ontario, have also taken action to phase out coal. Note that under the current federal regulations, coal units employing CCUS technologies can continue to operate in Canada after 2030 if their emissions intensity does not exceed 420 tonnes per gigawatt-hour (t/GWh).

Natural gas

In 2018, natural gas provided 9% of Canada's electricity generation and was responsible for approximately 30% of GHG emissions from Canada's electricity sector. Historically low natural gas prices, accompanied by relatively low capital equipment costs and lower GHG emissions than coal generation, have made combined-cycle natural gas electricity generation an attractive and readily available option for many provinces. Utilities and other electricity generators are currently deploying new natural gas generation, which will likely continue without further policy action to limit electricity generation from fossil fuels. As a result, GHG emissions from natural gas electricity generation are expected to increase as coal is phased out and electricity demand increases.

Fuel oil

The combustion of fuel oil to generate electricity has significantly declined in Canada, largely due to fuel oil's high cost. Fuel oil now represents less than 1% of total electricity generation in Canada, and generating facilities that still burn fuel oil are used primarily as peaking or back-up units. The largest facilities that still burn some fuel oil, primarily located in Atlantic Canada, therefore generate much less electricity than their maximum capacities would allow.

Diesel

Diesel, a distillate fuel oil, remains an important (though costly) fuel source for small-scale electricity generation across Canada, mainly in remote and northern communities. While diesel generation accounts for a small share of Canada's GHG emissions, it is a significant source of air pollutants and black carbon (a GHG that has an increased climate impact when emitted onto glaciers, as it decreases albedo and accelerates melting) and therefore negatively affects local air quality and human health.

Cogeneration (integration of heat and electricity)

Reducing emissions from industrial heat and electricity generation, which relies primarily on natural gas, will be crucial to reaching economy-wide net-zero emissions by 2050. Heat is the main source of energy consumed by industrial sectors and represents approximately 80% of all industrial energy needs (with the remaining 20% being electricity). Without low or non-emitting options to supply heat, Canada will not reach its goal of economy-wide net-zero by 2050. Fortunately, emerging technologies such as small modular nuclear reactors (SMR), renewable natural gas, clean hydrogen (low-emissions production), and geothermal heat, show potential to significantly contribute to the supply of low/zero-carbon heat, when co-located or connected to heat end-users, such as industry, while simultaneously supplying low/zero-carbon electricity through cogeneration.

Annex C – Regulations and other policy measures to reduce GHG emissions

The electricity sector is covered by various federal regulations.

Regulations under the Canadian Environmental Protection Act

The *Reduction of Carbon Dioxide Emissions from Coal-Fired Generation of Electricity Regulations* require that coal units meet an emissions limit of 420 t CO₂/GWh by no later than 2030. Currently, only coal units retrofitted with CCUS can meet these standards, and the majority of coal units in Canada are expected to be retired by 2030. While this regulation indirectly encourages electricity producers to replace coal units with non-emitting generating sources, this is not a requirement.

The *Regulations Limiting Carbon Dioxide Emissions from Natural Gas-fired Generation of Electricity* complements the coal regulations by setting emissions limits (420 or 550 t CO₂/GWh, depending on the size of the unit) for new natural gas-fired electricity generation. This regulation helps to ensure that natural gas units replacing coal-fired units are higher-performing units (top-performing natural gas units can achieve 370 t CO₂/GWh). The regulation also includes provisions for the economic life extension of coal units converted to natural gas (based on the initial emission performance of the converted units, ranging from 480 to 600 t CO₂/GWh).

Carbon pricing

Carbon pricing has proven to be one of the most efficient means to reduce GHG emissions in jurisdictions across the globe. Since 2019, every jurisdiction in Canada has had a price on carbon pollution. Canada's approach is flexible: any province or territory can develop its own pricing system tailored to local needs, or can choose the federal carbon pricing backstop system. The federal government sets minimum national stringency criteria (the benchmark) that all provincial and territorial systems must meet to ensure they are stringent, fair and efficient. If a province decides not to price pollution, or proposes a system that does not meet the federal benchmark, the federal carbon pricing system applies.

On July 12, 2021, the Government of Canada confirmed that the minimum price on carbon pollution will increase \$15 per year until 2030, starting in 2023. Through this increase, the price of carbon pollution will rise to \$170 per tonne by 2030. The Government of Canada published [updated federal benchmark](#) requirements for the 2023-2030 period in August 2021. All proceeds collected under the federal carbon pricing system are returned to the jurisdiction in which they were collected.

Under the Greenhouse Gas Pollution Pricing Act (GGPPA), the federal carbon pollution pricing system has 2 parts, the fuel charge and the Output-Based Pricing System Regulations. One or both parts may apply in a province or territory.

Fuel charge

Part 1 of GGPPA establishes a regulatory charge on 21 fossil fuels including gasoline and natural gas (the "fuel charge"). The fuel charge is generally paid by fuel producers and distributors. The fuel charge rates

reflect a carbon pollution price of \$40 per tonne of carbon dioxide equivalent (CO₂e) as of April 1, 2021, rising by \$10 per tonne annually to \$50 per tonne as of April 1, 2022. [Federal fuel charge rates for the 2023-2030 period](#), reflecting an increase in the \$15 per tonne increase each year starting in 2023 to reach \$170 per tonne in 2030, were published in fall 2021. The federal fuel charge currently applies in Ontario, Manitoba, Yukon, Alberta, Saskatchewan and Nunavut.

Output-Based Pricing System Regulations

The federal Output-Based Pricing System Regulations (OBPSR) establishes a regulatory trading system for emission-intensive and trade-exposed industry under Part 2 of GGPPA. It is designed to ensure there is a price incentive for industrial emitters to reduce their GHG emissions while mitigating risks to competitiveness and carbon leakage (that is, the risk of industrial facilities moving from one region to another to avoid paying a price on carbon pollution). The federal OBPSR currently applies in Manitoba, Prince Edward Island, Yukon, and Nunavut.

The federal OBPSR sets output-based standards (OBSs) in the form of emissions per unit of production. Facilities must calculate an emissions limit based on their production and relevant OBSs. If a facility emits below its emissions limit, it will earn surplus credits that it can sell. Facilities that emit above their limit must provide compensation either by paying the carbon price to the federal government via an excess emissions charge or remitting eligible compliance units in an amount equivalent to their excess emissions. By allowing facilities to generate and trade surplus credits for reducing their emissions below the limit, the OBPSR ensures the incentive to reduce emissions created by the carbon pollution price applies to every tonne of emissions from industrial facilities. It also incentivizes the lowest-cost emissions reductions across industrial sectors.

The approach to electricity under the OBPSR was designed to incentivize emissions reductions from electricity generation while mitigating competitiveness impacts and carbon leakage risks for industrial sectors and reducing costs for businesses and households; the OBPSR assigns different OBSs to electricity generation according to the type of fuel used.

The OBSs are:

- for existing generation using gaseous fuels like natural gas, 370 t CO₂e/GWh
- for new generation in 2021 or later using gaseous fuels like natural gas, starts at 370 t CO₂e/GWh in 2021, and then declines linearly to 0 t CO₂e/GWh in 2030¹³
- for liquid fuels like diesel, 550 t CO₂e/GWh
- for solid fuels like coal, 800 t CO₂e/GWh in 2019, followed by a linear decline that starts at 650 t CO₂e/GWh in 2020 and ends at 370 t CO₂e/GWh in 2030¹⁴

¹³ The federal approach for new gas generation does not apply to cogeneration facilities that primarily produce steam.

¹⁴ The solids OBS applies to coal-fired electricity generating units that co-fire with natural gas or boilers converted to run exclusively on natural gas.

Other policy measures

Some examples of other actions the federal government announced in the December 2020 Strengthened Climate Plan and the April 2021 federal budget include:

- Working with the provinces and territories to help build key intertie projects to better integrate provincial electricity systems
- Launching a Small Modular Reactor (SMR) Action Plan in December 2020, building on the SMR Roadmap released in 2018, to lay out the next steps to develop and deploy this technology
- Releasing the Hydrogen Strategy for Canada to position Canada as a world-leading producer, user and exporter of clean hydrogen, and associated technologies
- Developing tax measures, including by updating eligibility criteria of Class 43.1/43.2 of the Accelerated Capital Cost Allowance, to ensure Canada has a competitive investment environment for the commercialization of innovative technologies necessary to meet Canada's climate goals and committing to introduce an investment tax credit for investments in carbon capture, utilization, and storage projects with the goal of reducing emissions by at least 15 MT of CO₂ annually
- Leveraging Canada's competitive advantage in mining to build the Canadian battery and critical mineral supply chains
- Using federal procurement to lead by example and create market demand, including by committing to net-zero federal government operations by 2030 and to power federal buildings with 100% clean electricity by 2022

Responses to questions posed during the Clean Electricity Regulations (CER) Webinars of 21 & 22 July 2022

This document contains responses (with additional detail in some cases) to questions posed during the CER webinars held on the 21st and 22nd of July 2022, including those which were not answered then due to time constraints. For clarity, this document does not include comments received during the webinars. Additionally, it is possible that not all questions asked during the webinars are reflected in this document. Questions not reflected herein are those to which a response would need to reference elements of the proposed regulatory approach that are still under active consideration. In this context, ECCC remains committed to early and frequent engagement on the CER and continues to welcome views and questions at ECD-DEC@ec.gc.ca.

Emergency Generation

How will emergency generation be defined? Who will decide what counts as an emergency? Will emergency generators that burn fossil fuel for an industrial facility regulated through ECCC OPBS be subject to the CER performance standards?

A: ECCC will be responsible for enforcing the CER, including determining if instances of application of the emergency exemption were valid.

Emergencies would be defined as “extraordinary, unforeseen and irresistible.” This is the same definition currently used in the coal and natural gas regulations. To qualify for emergency generation, a regulatee must demonstrate that they have met these criteria. In the case that these criteria are met, a regulated unit would be exempted from the performance standard in relation to the emissions covered by the CER and associated with operating the unit during the period of emergency. A unit having capacity above a certain threshold (still to be determined) and that both combusts fossil fuel to generate electricity, and, offers electricity for sale to a NERC-regulated electricity system will be regulated by the CER.

Remote Communities

Will the same requirement apply in remote areas of Canada?

A: Units operating in areas not connected to an electrical system regulated by the North American Electric Reliability Corporation ("NERC") would be exempt. These areas are primarily remote, Northern or on federal lands.

Given the exemption of remote communities from the CER, how is it being ensured that remote communities are not left out of Canada's clean energy transition?

A: The Government of Canada is committed to supporting remote communities as they transition away from diesel generation. Given the ambitious timelines of the CER and the lack of near-term options suitable for providing reliable baseload power to remote communities, there are more appropriate

federal measures than the CER to support the clean energy transition for remote communities. For example, there are existing programs offered by NRCAN, CIRNAC and ISC to support clean electricity projects in the north/remote communities. ECCC has heard about the challenges for Indigenous-led clean energy projects and that remote communities do not want to be left behind. That said, ECCC is engaging with Indigenous partners to ensure that their input is heard and fully considered in the design of the CER.

When considering which communities will be treated as “remote,” what about communities in load pockets that are technically connected to the grid but cannot reliably import their energy?

A: ECCC is proposing that the CER, through a stringent performance standard, would regulate CO₂ emissions from fossil-fired units that are i) above a certain generating capacity (MW) threshold and ii) offer electricity for sale onto a NERC-regulated electricity grid. In this context, it is important to remember that issues of transmission adequacy are outside of the federal mandate and the scope of the CER. As envisioned, the CER will provide parties responsible for transmission systems with upwards of 10 years to plan and take action to ensure that clean electricity can flow to the places that need it.

Could you please explain the rationale to limit applicability of the CER to facilities under NERC?

A: The Government of Canada’s 2030 Emissions Reduction Plan is an ambitious and achievable roadmap that outlines a sector-by-sector path for Canada to reach its emissions reduction target of 40 percent below 2005 levels by 2030 and net-zero emissions by 2050. As part of the Plan, Canada is committed to a net-zero electricity system and the CER would be one part of a suite of federal measures aimed to achieving this goal. In this context, the CER intends to address emissions sources that are highly specific to the generation of electricity; as these sources are generally connected to a NERC-regulated grid, the CER is proposed to include NERC-connectivity in its regulatory scoping criteria. There are other electricity generating units that are likely to not be covered by the CER; however, many of these units may be covered by other initiatives considered under the Emissions Reduction Plan. However, the Government of Canada notes that it may at a later date revisit the scope of the CER and at that time, if deemed warranted for the purposes of achieving its emission reduction targets, include all electricity generating units under the CER, i.e., include units that are and are not connected to a NERC regulated grid.

Forward plans

Will the CER apply to power imported from the United States?

A: The CER will, in general, apply to a unit within Canada that generates electricity that is offered for sale onto an electricity system regulated by NERC. The CER would not apply to power imported from outside Canada.

How do the CER and OBPS interact? How will the OBPS standard for electricity evolve to support the CES?

A: The treatment of electricity under the OBPSR is being actively considered as part of the CER development process with the goal of having the two regulations aligned in their treatment of electricity generation. Achieving this goal may require an evolution of the OBPSR’s treatment of electricity, but it is too early in the process to understand what this evolution may entail.

Will there be pancaking with provincial systems or would they be expected to mimic the CER in their regulations? Will CER override provincial regulations if CER is more strict, what if less strict? Will the CER Framework consider proposing regulatory changes to the provinces? Will it be possible for a province to pursue equivalency with parts of the CER?

A: ECCC is proposing that the CER, through a stringent performance standard, would regulate CO₂ emissions from fossil-fired units that are i) above a certain generating capacity (MW) threshold and ii) offer electricity for sale onto a NERC-regulated electricity grid. As a federal regulation, the CER will be applicable across Canada, which is why ECCC continues to engage with all parties, including provinces and territories, to ensure that the CER is well placed to meet the challenge of net-zero electricity. As part of ensuring that the CER is well placed, section 10 of the *Canadian Environmental Protection Act, 1999* (CEPA) gives authorization to ECCC to stand down a federal regulation in a province or territory that has in place laws that achieve equivalent (or better) emissions outcomes than the federal regulation. This may be done at the request of the applicable province or territory, subject to certain conditions, and can be in effect for no more than 5 years.

As some provinces have their own carbon pricing systems, how will the financial compensation from the EPR be applied?

A: This issue is currently under analysis.

Performance standard

Without any new performance standards or regulations for unabated fossil generation before 2035, will there be a strong enough signal to not build any new unabated fossil generation after 2035?

A: Under the CER, new units would be considered those built on or after January 1, 2025. Although the CER does not propose to include interim standards before 2035, the 10 years between 2025 and 2035 is not enough time to fully recoup capital costs of new, unabated projects. When this is considered in the context that the CER will apply stringent performance standard to new units starting on January 1, 2035, and that meeting the performance standard will require the use of abatement technology, it is unlikely that project proponents would deem new units without abatement technology to be financially viable.

Is there a choice between either meeting the performance standard directly, or by paying the financial compliance on emissions released beyond the performance standard?

A: Regulatees would NOT be able to choose between the performance standard and financial compliance. Both regulated requirements will apply concurrently. The performance standard prohibits units from operating above a certain emissions intensity over a period of time. Regulatees must comply with the performance standard or face enforcement action under CEPA. However, the flexible design proposed for the CER will result in low levels of residual emissions. These residual emissions must be addressed through financial compliance requirements. Residual emissions are expected from existing units, new units that operate between zero and the near-zero performance standard, and units operating in a back-up capacity. The latter will be heavily constrained by limits on hours per year and emissions per year.

Will the limits for unabated generation (kWh/y and KT/y) be the same across the country? Or would there be some variation between regions?

A: ECCC is not proposing regional variations to the performance standard across Canada.

Is ECCC considering assessing performance standards over a multi-year average?

A: ECCC is exploring the implications of assessing the performance standard over a single-year or over a multi-year averaged period. The multi-year averaging is not currently being considered for units that have reached their prescribed end of life and continue operating under the backup provisions listed in the CER, which would likely be assessed over a single year.

The Proposed Frame refers to the possibility of "fleet averaging." What is the current potential for this option?

A: Fleet averaging is being considered as a potential compliance flexibility for the CER. ECCC encourages those parties interested in fleet averaging to submit their views to ECD-DEC@ec.gc.ca.

What are the criteria you are considering to define the value of the performance standard?

A: The adoption of abatement technologies and non-emitting fuels can allow operators of regulated electricity generating units to make significant progress towards achieving net-zero emissions. The performance standard would be set at a stringent, near-zero value in line with direct emissions from well-performing, low-emitting generation technology such as geothermal or combined cycle natural gas with carbon capture and storage (CCS).

For mixed combustion (biomass and fossil fuel co-firing), will CER apply to the fossil fuel portion of this co-firing? Will co-firing biomass and fossil fuels have an impact on the performance standard for these units?

A: ECCC is proposing that the CER, through a stringent performance standard, would regulate CO₂ emissions from fossil-fired units that are i) above a certain generating capacity (MW) threshold and ii) offer electricity for sale onto a NERC-regulated electricity grid. In this context and as currently envisioned, the CER proposes to cover units that combust *any* amount of fossil fuel but does not propose specific treatment of units that combust biomass. Moreover, the CER is not proposed to cover the CO₂ emissions that arise from the combustion of biomass. Note that this treatment of biomass is in line with existing ECCC regulations that apply to the electricity sector.

Will the proposed value for the performance standard be published soon, and will that be open for comment as well?

A: The proposed value for the performance standard will be appearing in the draft regulation upon publication in *Canada Gazette, Part I* (CGI). Following publication in CGI, there will be at *minimum* a 60-day public comment period for all interested parties to submit comments to ECCC. All received comments will be reviewed and considered.

Existing units

How will "new" and "existing" units be defined? Please expand on what you consider "Existing units"? Does this include units built before 2025?

A: For the purposes of the CER, an existing unit is proposed to be one that is commissioned before 2025. New units would be those commissioned on January 1, 2025, and thereafter.

Will the end of prescribed life be a single number of years applicable for all facilities?

A: The end of prescribed life approach being considered is a set value of years following the date of a unit's commissioning.

What will be the value of the period that existing units can continue operating following their commissioning date? When does the concept of End of Prescribed Life apply?

A: ECCC is considering a prescribed life concept to be applied to existing units. An existing unit would become subject to the CER performance standard at the latter of the end of its prescribed life, or January 1, 2035. As currently proposed, units that have reached their end of prescribed life could meet the CER's stringent performance standard, or, choose to operate subject to strict limits placed on both the number of hours of operation AND the amount of emissions that could be released per year. The prescribed life would be defined as a period of time (i.e., years), measured as starting with the date of a unit's commissioning; the actual duration of the prescribed life has not yet been decided, but a proposed value for the prescribed life will be appearing in the draft regulation upon publication in CGI. Following publication in CGI, there will be at *minimum* a 60-day public comment period for all interested parties to submit comments to ECCC. All received comments will be reviewed and considered.

For clarity, new units would be subject to the CER's performance standard starting in 2035.

Can you clarify if the end of life concept will apply to fossil fuel generators that have abatement technology added and are meeting the performance standard?

A: It is proposed that any unit can continue to operate at any time if it meets the CER's stringent performance standard.

Financial compliance

Is the Financial Compliance system going to be distinct from the Output-Based Pricing System and fuel charge? Will offsets created under the federal GHG Offset Credit System Regulations or under Voluntary Offset Protocols be recognized under the CES?

A: The CER will establish a physical performance standard, and all continued electricity sector emissions will be subject to a financial compliance requirement. The form of the financial compliance is still under consideration. ECCC will ensure that the chosen financial compliance mechanism aligns with the treatment of electricity under OBPSR.

Will the Financial Compliance only begin in 2035 for units commissioned before 2035?

A: The selected financial compliance approach would be implemented beginning in 2035. However, the electricity sector is currently subject to carbon pricing via federal and provincial regimes and this is not proposed to change.

Can credits be earned by early adoption of technology pre-2035 for use after 2035?

For entities that produce electricity with a carbon intensity lower than that required by the CER, will they receive financial compensation for the period 2025-2035?

A: ECCC is not currently considering credit generation under the CER.

Will the emissions produced by existing units be subject to financial compliance under the CER?

A: ECCC is considering a prescribed life concept to be applied to existing units. In this context, the residual emissions arising from existing units, to the extent that they operate through to the end of their prescribed life, would be subject to financial compensation requirements.

Threshold

Would units below the capacity threshold be subject to carbon price through the purchase of their fuel?

A: The CER would apply to units with a capacity above a specified minimum capacity threshold. Units below this minimum capacity threshold may still meet the requirements of other carbon pricing programs separate from the CER.

What is the proposed Small Generation threshold and does it apply to individual units or is it aggregated for a facility that has multiple units?

A: The Small Generator threshold under consideration will look to reduce the regulatory burden on units under a certain capacity size threshold. The purpose of the threshold, to be measured in MW of electricity generating capacity, is to ensure the coverage of the majority of emissions while not imposing undue administrative burden on smaller units, as the sum total of emissions from such units do not have a notable contribution to the national total emissions from the electricity sector. The MW threshold is proposed to apply to individual units. The proposed definition of "unit" and the value of the MW threshold will be appearing in the draft regulation upon publication in CGI. Following publication in CGI, there will be at *minimum* a 60-day public comment period for all interested parties to submit comments to ECCC. All received comments will be reviewed and considered.

Industrial generation

How will industrial units (including cogeneration) be treated by the CER?

A: Industrial generation units that offer any electricity for sale onto an electricity system regulated by NERC, and that meet the MW capacity size threshold requirement, would be subject to the same proposed CER performance standard as all other emitting units.

What are the proposed quantification methods that will be used to determine emissions and exported electricity from industrial (including cogeneration) generation?

A: Quantification methodologies are still being developed and input on this topic is welcome at ECD-DEC@ec.gc.ca.

Why revisit industrial generation, including cogeneration, treatment in the future?

A: The CER would propose to only regulate industrial units (including cogeneration) that offer electricity for sale onto an electricity system regulated by NERC. The CER would not generally regulate a cogeneration unit that generates electricity for its own needs, i.e., "self-consumption" of electricity generated and consumed behind the industrial fence line. Other regulatory and pricing measures would continue to apply to those emissions. However, the Government of Canada notes that it may at a later date revisit the scope of the CER and at that time, if deemed warranted for the purposes of achieving its emission reduction targets, include all electricity generating units under the CER, i.e., include units that are and are not connected to a NERC regulated grid.

Technology neutrality

What is proposed to be considered a non-emitting source of electricity?

A: The CER will not define low or non-emitting sources of electricity. Technologies that would likely meet the proposed CER physical performance standard include firing on biomass, hydrogen or other clean fuels; carbon capture and storage (CCS) systems applied to fossil fuel firing units; solar; wind; geothermal; nuclear both conventional and small modular nuclear reactors (SMRs), hydro, distributed energy systems, interties and energy storage.

Affordability

How will you reconcile the overall objective of maintain affordability while having the regulatees pay for the cost of complying with the CER, e.g., retrofits?

A: The Government of Canada understands that the transition to net-zero will require major investments in clean electricity generation, storage, and grid modernization in order to meet increasing demand from electrification in other parts of the economy as grid operators simultaneously decarbonize generation, particularly in the most impacted provinces. The CER would be part of a suite of federal measures to move Canada's electricity sector to net-zero. The CER and complementary measures would encourage the use of non-emitting fuels like biomass and hydrogen; energy efficiency; demand side management, dynamic pricing; and a range of efficiency, abatement and non-emitting generating technologies such as carbon capture and storage (CCS), solar, wind, geothermal, conventional and small modular nuclear reactors (SMRs), hydro, distributed energy systems, interties and energy storage. It could also support bringing more clean power from Indigenous power producers to Canada's electricity systems. Work to date suggests that a targeted and coordinate deployment of these technologies could be done at an acceptable cost. However, the Government of Canada realizes that the transition to net zero electricity will require efforts from all levels of government. In this context, the Government of Canada has to date announced billions in programs to help in this transition. Moreover, the CER is proposed to contain a number of provisions, such as the prescribe life, MW capacity size threshold and back-up capacity rules that will help improve reliability in a cost effective manner.

Reliability

Is there a role for new low capacity factor units for purposes of maintaining reliability in the CES?

A: The CER's back-up capacity provisions will permit units to operate at a low capacity factor to protect reliability and affordability as the electricity system transitions to non-emitting generation sources. The proposed back-up capacity provisions are:

1. A unit emits less than a heavily constrained amount of emissions per year; and
2. It operates less than a heavily constrained number of hours per year.

Achieving net-zero

Is the objective of the CES to still achieve a net-zero electricity system by 2035?

A: The CER is part of the Government of Canada's 2030 Emissions Reduction Plan. The Plan is an ambitious and achievable roadmap that outlines a sector-by-sector path for Canada to reach its emissions reduction target of 40 percent below 2005 levels by 2030 and net-zero emissions by 2050. The CER is being designed to put Canada's electricity sector on a pathway towards net-zero as an

enabler for broader decarbonization of the economy. The design proposed for the CER would ensure that emissions reductions make significant progress towards net-zero electricity emissions while supporting efforts to have a reliable and affordable grid. However, the CER would be one part of a suite of federal measures envisioned for achieving this goal.

[Why not aim for zero emissions? Offsetting should be a measure of last resort. For offsets, will you require projects to be built on Canadian soil?](#)

A: In many parts of Canada, electricity systems rely on natural gas for power generation. The adoption of non-emitting technologies, emission abatement technologies and clean fuels all can allow utilities and others to make significant progress towards net zero emissions. However, even with the current range of these technologies, the continued use of natural gas may be necessary, especially in emergencies and in some circumstances to supplement variable wind and solar power. Despite the potential for this necessary role of natural gas, its use is expected to decline over time as competing technologies evolve. The requirement for financial compliance under the envisioned suite of net zero electricity policy, which could take the form of offsets or payments to match the minimum national carbon price, will help ensure that this is the case.

In terms of units subject to the regulation and potential offsets, the regulation will only cover units operating in Canada that meet the criteria for the regulation. Specifically, ECCC is proposing that the CER, through a stringent performance standard, would regulate CO₂ emissions from fossil-fired units that are i) above a certain generating capacity (MW) threshold and ii) offer electricity for sale onto a NERC-regulated electricity grid.

[Have concerns been raised about the potential for a more accelerated approach to decarbonizing electricity to deter electrification in less-regulated sectors?](#)

A: The CER is being developed to protect affordability, and reliability, so that the incentive to electrify other sectors is maintained.

Miscellaneous

[What is a Regulatee? Does that mean electricity generator?](#)

A: The regulatee would be the person responsible for a regulated unit. ECCC is proposing that a regulated unit would be on that combusts any amount of fossil fuels for the purpose of generating electricity and that is i) above a certain generating capacity (MW) threshold and ii) offers electricity for sale onto a NERC-regulated electricity grid.

[How do you define a 'utility'?](#)

A: The CER is proposing to regulate units that offer electricity for sale onto an electricity system regulated by NERC. In its communications, ECCC is vernacularly referring to such regulated units as 'utilities'.

[Is the Federal Government engaging with provinces on the different market structures and how that will impact on the building of interties?](#)

A: The Government of Canada is closely and frequently engaging with all Provinces, Territories and Indigenous groups throughout the CER regulatory development process. The Government of Canada will continue to convene multi-party dialogues to advance priority transmission and intertie projects and to consider the implications of different market structures.

Is it possible to point me to the legislative reference that gives the federal government the power to regulate in this sector?

A: As context, federal jurisdiction on environmental matters has been established as including taking action on substances that travel across the borders of Provinces, Territories and Canada; CO₂ is such a substance. The CER are proposed to be developed under the *Canadian Environmental Protection Act, 1999*. Under Section 93 of CEPA, the Government of Canada, upon the recommendation of the Minister of ECCC, may make regulations with respect to a substance specified on the List of Toxic Substances in Schedule 1 of the Act. Carbon dioxide (CO₂) is specifically listed as a toxic substance under Schedule 1 of CEPA. Section 93 is broad in its scope in that it contains within itself no limits on its application to any one or collection of industrial sectors. This said, any CEPA regulation must respect other existing laws, and such a review is part of the federal regulatory making process.

About community-based renewable energy cooperatives, how do you see them under the CER? For community energy generation do you envisage a smart grid upgrade giving medium/small scale participation opportunities for distributed generation?

A: We anticipate that projects that emit CO₂ will be targeted by the CER. Therefore, community-based renewable energy cooperatives would not be affected by the Regulations.

Demand side management (DSM) is a strategy to reduce peak electricity demand by changing electricity use patterns. It has the potential to contribute significantly to the three pillars of the CER (i.e., reductions, reliability and affordability) by shifting electricity load to times when there are more low-carbon electricity options; this is known as peak shaving.

What are the roles for compliance flexibilities and what limitations will be incorporated?

A: As currently proposed, under the CER, regulatees will NOT be able to choose between the performance standard and financial compliance. Both regulated requirements will apply concurrently. The performance standard prohibits regulated units from operating above a certain emission intensity for a given period of time. Regulatees must comply with the performance standard or face penalties under CEPA. However, compliance with the performance standard allows for some residual emissions. These residual emissions must be addressed through financial compliance requirements.

Would complementary measures also include an investment tax credit for businesses that incur eligible expenditures related to carbon capture, utilization and storage (CCUS), as proposed in Canada's 2021 federal budget?

A: In Budget 2021, the Government of Canada proposed the introduction of an investment tax credit for capital invested in carbon capture, utilization, and storage (CCUS) projects.