



Municipalities, Schools and Hospitals: Energy Conservation and Demand Management Plans

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GEA and Public Agencies

The *Green Energy Act*

- allows government to require public agencies to
 - prepare and publish an energy conservation and demand management plan – ss. 6(1) and (7)
 - achieve prescribed targets and meet prescribed energy and environmental standards, including standards for energy conservation and demand management – s. 6(4)
- Requires the public agency to implement the plan and to do so in accordance with such requirements as may be prescribed - s. 6(8)



What must the plan include?

An energy conservation and demand management plan must include

1. A summary of annual energy consumption for each of the public agency's operations.
2. A description and a forecast of the expected results of current and proposed activities and measures to conserve the energy consumed by the public agency's operations and to otherwise reduce the amount of energy consumed by the public agency, including by employing such energy conservation and demand management methods as may be prescribed.
3. A summary of the progress and achievements in energy conservation and other reductions described in paragraph 2 since the previous plan.
4. Such additional information as may be prescribed



What has government regulated?

- Ontario Regulation 397/11, Conservation and Demand Management Plans, requires municipalities, municipal service boards, universities, colleges, schools and hospitals to prepare and implement energy conservation plans
- Plans have two components:
 - Annual energy consumption and greenhouse gas emissions reporting; and
 - 5-year conservation and demand management plan



What is the timeframe?

- By July 1, 2013, report and make public 2011 energy consumption and GHG Emission data;
- By July 1, 2014, update annual energy consumption and develop and make public energy conservation plan; and
- Report energy consumption data annually and update plans every 5 years



Energy and GHG emission reporting

- First report July 1, 2013 for base year 2011 and update annually
- Report, using MEI template, on designated operations including:
 - municipalities: administrative offices, cultural and sports facilities, emergency services, storage facilities (e.g., vehicle storage), water/sewage treatment and pumping, garages
 - municipal service boards: water/sewage treatment or pumping
- The designated operation must be one which is
 - heated or cooled; or
 - related to the treatment or pumping of water or sewage
- The public agency must:
 - own or lease the designated operation and receive and be responsible for paying the energy invoice
 - make reasonable efforts to allocate energy use in multi-use facilities
 - make information available to public and submit it to the Ministry of Energy



Conservation and Demand Management Plan

- First 5-year conservation plan July 1, 2014
- Plan outlines energy conservation and demand management measures
- Conservation plans must include:
 - Goals and objectives for managing, conserving and reducing energy consumption;
 - Costs and estimated savings for proposed measures
 - Description of renewable energy generation;
 - Plans approved by agency's senior management; and
 - May include information on non designated agency operations
- Can include information on previous energy conservation programs
- Publish plans on website and make available to the public in printed form at its head office
- Update plan every 5 years



Conservation and Demand Management Subsequent Plans

- July 1, 2019 updated plans must include:
 - Current and proposed energy conservation and demand management measures;
 - Revised forecast of the expected results of the current and proposed measures;
 - Results achieved in previous plan; and
 - Description of proposed changes that could aid the public agency reach any its targets or forecasts
- 5-year conservation plans to be made available on organization's website and hard copy upon request



“....and implement”

- O. Reg 397/11 provides:
 - “A public agency shall prepare, publish, make available to the public and implement energy conservation and demand management plans ... in accordance with sections 6 and 7 of the Act and with this Regulation”
- S. 6(8) of the GEA provides:
 - “The public agency ... shall implement the plan and shall do so in accordance with such requirements as may be prescribed
- Yet no requirements are prescribed



Be careful what you wish for

- The obligation to implement the plan does not depend on further regulatory detail
 - At present you must implement what you plan
 - Is there a difference between a plan and an aspiration?
- Although no sanction is specified, a non-compliant municipality may be vulnerable to judicial review
- Remember also that s. 6(4) of the GEA allows the government to regulate prescribed targets and standards for energy conservation and demand management



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