

National Energy Board Electricity Regulations

SOR/97-130

NATIONAL ENERGY BOARD ACT

Other than Border Accommodation Transfers

9. An application for a permit for the exportation of electricity, other than for a border accommodation transfer, shall contain the following information, unless the Board advises the applicant that the information is already in the possession of the Board or that the information is not relevant to the application:

- (a) the names of the applicant and any authorized representative of the applicant and their mailing address, address for personal service, telephone number and any other telecommunications numbers of the applicant or the authorized representative of the applicant;
- (b) a description of the applicant's power system, a copy of the applicant's latest annual report and, if applicable, the applicant's most recent publicly available generation or development plan;
- (c) a proof of publication of the notice;
- (d) the name of each person or agency outside Canada to be supplied with electricity and the nature of the business carried on by the person or agency or, if that information is unknown at the time of the application, a brief description of the markets to be served;
- (e) in the case of a sale transfer, the period for which the permit is sought and, for each year in that period, an estimate of the following quantities, namely,
 - (i) the maximum quantity of firm power export and import,
 - (ii) the maximum quantity of combined firm power and interruptible power export and import,
 - (iii) the maximum monthly and annual quantities of firm energy exports and imports, and
 - (iv) the maximum monthly and annual quantities of interruptible energy exports and imports;
- (f) in the case of an equichange transfer, storage transfer, adjustment transfer or carrier transfer, a statement of the annual quantities of energy for exportation and for importation for each class of transfer for the period for which the permit is sought;
- (g) a copy of any electricity transfer agreement that covers the proposed exportation of electricity;
- (h) where no agreement exists, a statement of
 - (i) the estimated maximum duration of specific exports and the basis for that estimation, and

- (ii) the period of time for which the permit is sought and the basis for the selection of that period of time;
- (i) a list of the international power lines over which the applicant proposes to export or import electricity, setting forth in respect of each line
 - (i) the number of the certificate or permit issued by the Board,
 - (ii) the name of the holder of the certificate or permit,
 - (iii) the name of the owner of the power line outside Canada,
 - (iv) the voltage level and operating designation of each circuit, and
 - (v) the maximum power transfer capability of each circuit and the basis for that limit;
- (j) the total simultaneous power transfer capability under normal operating conditions for all of the international power lines listed in accordance with paragraph (i) and the basis for that limit;
- (k) a description of the approvals required for the importation of electricity into the United States, and a statement respecting the current status of the approvals;
- (l) a description of the provincial approvals that are required to be obtained by the applicant, and a statement respecting the current status of the approvals;
- (m) a description of the review process applicable to each provincial approval that must be obtained, including
 - (i) a description of any public consultation provided for under the review process, and
 - (ii) a schedule for the review process;
- (n) whether new or modified facilities will be required to effect the proposed exportation of electricity and, if applicable, a detailed description of those facilities;
- (o) the adverse environmental effects resulting from the proposed exportation of electricity, and the measures to be taken to mitigate any of those environmental effects;
- (p) a description of any adverse effects that the proposed exportation of electricity could have on the operation of any power system in neighbouring provinces;
- (q) where the application specifies the terms and conditions of the proposed exportation of electricity, a description detailing the manner in which the applicant
 - (i) has informed those persons who have declared an interest in buying electricity for consumption in Canada of the quantities and classes of service available for sale, and
 - (ii) has given those persons who have demonstrated an intention to buy electricity for consumption in Canada after having been so informed, an opportunity to purchase electricity on terms and conditions, including price, as favourable as the terms and conditions specified in the application; and
- (r) where the application does not specify the terms and conditions of the proposed exportation of electricity a description, including supporting documentation, detailing the manner in which the applicant

- (i) will inform those persons who declare an interest in buying electricity for consumption in Canada of the quantities and classes available for sale, and
- (ii) will give those persons who demonstrate an intention to buy electricity for consumption in Canada after having been so informed, an opportunity to purchase electricity on terms and conditions, including price, as favourable as the terms and conditions of the export.

SOR/98-475, s. 2.