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Fifth Session, Forty-second Parliament  
2 Charles III, 2024  
Legislative Assembly of British Columbia

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**BILL 24**

**ENERGY STATUTES AMENDMENT ACT, 2024**

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Honourable Josie Osborne  
Minister of Energy, Mines and Low Carbon Innovation

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## Explanatory Notes

- CLAUSE 1: *[Clean Energy Act, section 7]* is consequential to amendments made by this Bill to the Act.
- CLAUSE 2: *[Clean Energy Act, Part 4]* repeals the requirement for the authority to establish and maintain a standing offer program.
- CLAUSE 3: *[Clean Energy Act, section 35]* repeals the regulation-making power in respect of the authority's standing offer program.
- CLAUSE 4: *[Utilities Commission Act, section 21.1]* authorizes the Lieutenant Governor in Council to make regulations respecting the provision of electricity service for the purpose of cryptocurrency mining.

**BILL 24 – 2024**

**ENERGY STATUTES AMENDMENT ACT, 2024**

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

*Clean Energy Act*

- 1 *Section 7 (1) (h) of the Clean Energy Act, S.B.C. 2010, c. 22, is repealed.*
- 2 *Part 4 is repealed.*
- 3 *Section 35 (l) is repealed.*

*Utilities Commission Act*

- 4 *The Utilities Commission Act, R.S.B.C. 1996, c. 473, is amended by adding the following section:*

**Provision of electricity service  
for the purpose of cryptocurrency mining**

- 21.1 (1) The Lieutenant Governor in Council may make regulations respecting the provision by a public utility of electricity service for the purpose of cryptocurrency mining.
- (2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:
- (a) prohibiting, for a specified period or indefinitely, a public utility from supplying service to a person for the purpose of cryptocurrency mining;
  - (b) setting a rate, or requiring the commission to set a rate, that does any of the following:
    - (i) establishes the charge to be paid for energy or capacity supplied to a person for the purpose of cryptocurrency mining;
    - (ii) establishes limits on the amount of energy or capacity that may be supplied to a person for the purpose of cryptocurrency mining;
    - (iii) establishes when service may be supplied to a person for the purpose of cryptocurrency mining;

CLAUSE 4: *[Utilities Commission Act, section 21.1 – continued]*

CLAUSE 5: *[Utilities Commission Act, section 99]* provides that the section does not apply to a rate that under section 21.1 (4) is deemed to be set by the commission or to a regulation that under section 21.1 (5) is deemed to be an order of the commission.

- (iv) establishes conditions that must be met to be entitled to receive service from a public utility for the purpose of cryptocurrency mining;
  - (c) enabling a public utility to collect from its customers the costs it incurs or the revenue forecasted to be lost as a result of a regulation under this section;
  - (d) defining cryptocurrency to include a specified digital medium of exchange, unit of account or store of value;
  - (e) defining cryptocurrency mining to include or not include a specified activity respecting cryptocurrency.
- (3) In making regulations under this section, the Lieutenant Governor in Council may make different regulations in relation to different persons, places, activities or circumstances or different classes of persons, places, activities or circumstances.
- (4) A rate set under subsection (2) (b) or (c) is deemed to be set by order of the commission under section 58.
- (5) A regulation made under subsection (2) (c), insofar as it does not set a rate, is deemed to be an order of the commission under this Part.
- (6) A public utility or the commission, as applicable, must comply with a regulation made under this section despite
  - (a) any other provision of this Act, except section 3,
  - (b) any provision of a regulation under this Act, except a direction under section 3, or
  - (c) any previous decision of the commission.
- (7) A regulation made under this section applies in relation to the provision of electricity service by a public utility despite
  - (a) a regulation under section 22 made before the date this section comes into force, or
  - (b) an order under section 88 (3) made before the date this section comes into force.

**5 Section 99 is amended**

**(a) by renumbering the section as section 99 (1), and**

**(b) by adding the following subsection:**

- (2) This section does not apply in relation to the following:
  - (a) a rate that, under section 21.1 (4), is deemed to be set by order of the commission;

CLAUSE 5: *[Utilities Commission Act, section 99 – continued]*

CLAUSE 6: *[Utilities Commission Act, section 101]* excludes from the orders that may be appealed to the Court of Appeal an order deemed under section 21.1 (4) or (5) to have been made by the commission.

CLAUSE 7: *[Water Utility Act, section 4]* makes a housekeeping amendment and is consequential to amendments made by this Bill to the *Utilities Commission Act*.

(b) a regulation that, under section 21.1 (5), is deemed to be an order of the commission.

- 6** *Section 101 (1) (b) is amended by adding “, other than an order deemed under section 21.1 (4) or (5) to have been made by the commission,” after “any other decision or order of the commission”.*

## **Consequential Amendment**

### *Water Utility Act*

- 7** *Section 4 (b) of the Water Utility Act, R.S.B.C. 1996, c. 485, is amended by striking out “28, 29, 44.1, 44.2, 45 (2), (3), (5) and (6), 58 (2.1) and (2.2) and 58.1, Part 3.1 and sections” and substituting “21.1, 28, 29, 44.1, 44.2, 45 (2), (3), (5) and (6), 58 (2.1) to (2.4), 58.1,”.*

### **Commencement**

- 8** This Act comes into force on the date of Royal Assent.