



NEW BRUNSWICK
ENERGY COMMISSION

Public Feedback Document



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Introduction

The New Brunswick energy landscape has changed dramatically since the province adopted its last energy policy in 2000. This policy resulted in the restructuring of NB Power into separate operating units based on their functions; establishing renewable electricity generation levels; and creating Efficiency New Brunswick, to name three highlights. Changes have also occurred as a result of world events. These include the economic downturn that began in 2008 and reduced our demand for electricity; increases in the price of oil; and the different approaches to resource management made by various countries. The introduction of natural gas to the province as a resource and through a distribution system could be the greatest change, given that the price of natural gas is predicted to remain low in comparison to oil and that opportunities exist to create a provincial source of supply.

This report contains the draft recommendations for an energy plan that the Energy Commission intends to deliver to the government. The commission is looking for public comments on these recommendations to ensure that it has understood and captured the feedback it received from the residents of New Brunswick.

A more detailed report will be submitted to the government in May, detailing a proposed energy plan for New Brunswick for the next 10 years. Recommendations relating to NB Power's structure and debt management will be presented in a subsequent phase.

Defining the Energy Plan

The Energy Commission has focused on developing a set of recommendations that will be used to structure a progressive 10-year energy plan. It will contain concrete and specific actions on how we can best ensure New Brunswick enjoys a viable, stable and healthy energy sector now and in the future.

The consultation process undertaken by the Energy Commission enabled it to identify key objectives as the foundation for the development of its recommendations. These objectives directly reflect the feedback from residents and consumers. The objectives are:

- develop a plan for low and stably-priced energy;
- ensure the security of energy supplies;
- set high standards of reliability in the generation and delivery of electricity;
- produce, transmit, and distribute energy in an environmentally responsible manner; and
- strengthen and expand the role of the independent energy and utility regulator.

Situation analysis

New Brunswick is a rural province with a population of slightly more than 750,000. The population in Atlantic Canada has the oldest median age in the country.

The ability of residents and businesses to afford the cost of energy is essential to any successful society and economy. If energy costs are not competitive with other jurisdictions, people and businesses will not be able to establish themselves or remain in the province.

The foundation of our provincial economy rests on the resource-based processing sector. New Brunswick has developed a skilled workforce and robust highway infrastructure that allows us to process and export resource-based products competitively. The processing sector is being challenged by the increasing cost of energy associated with its production facilities and the transportation of its finished products. The processing sector needs competitively-priced energy to remain viable in a global market.

The energy sector is a major factor in the provincial economy, with the country's largest oil refinery; the only liquified natural gas plant in Canada; biomass production, including wood pellets; electricity generating plants; and the potential of additional natural gas development.

Energy in New Brunswick is available in a variety of forms, including refined petroleum products; natural gas; wood and agricultural fibre; and electricity generated by hydro, oil, coal, wind, natural gas, biomass and nuclear. All sectors are important, with petroleum products being 48 per cent of the end use energy we consume and electricity being the largest in terms of market penetration - with 61 per cent of homes using it for primary heat - and the most prominent as a result of the government being the shareholder of the NB Power Group of Companies.

Electricity Sector

The electricity sector in the province has undergone major changes in the past few years. Our peak hourly electricity needs in 2010 were slightly less than 3,000 MW, while our lowest hourly electricity needs were about 850 MW on a system with 4,450 MW of capacity. Our electricity demand has been falling since 2008, and NB Power is forecasting that electricity demand will only return to 2008 levels in 2020.

The *Electricity Act*, which came into force in 2004, divided our electrical utility into five corporate units: New Brunswick Power Holding Company; New Brunswick Power Nuclear Corporation; New Brunswick Power Generation Corporation; New Brunswick Power Transmission Corporation; and New Brunswick Power Distribution and Customer Service Corporation. The act also created an independent system operator.

New Brunswick receives its electricity from NB Power-owned generation plants, from power-purchase agreements with private companies, and from imports from other jurisdictions. The electricity supply from external sources has grown during the past few years because of the ongoing refurbishment of the Point Lepreau generating station and the competitive price in our interconnected market.

The province's geographic position is a strength when it comes to importing or exporting electricity. We have one of the most interconnected electrical systems in Canada. Our transmission system connects with Prince Edward Island, Nova Scotia, northern Maine, the New England grid and Quebec. As a result, New Brunswick is uniquely positioned to maximize regional opportunities. Our geography also gives us

an advantage for accessing clean and renewable power from Hydro-Québec and new developments in Newfoundland and Labrador.

Our high peak demand compared to our base load is explained by the high penetration of electrical heating in the province. The percentage of New Brunswick households that use electricity for heat is much higher at 61 per cent than the national average of 37 per cent. This results in some of our generation plants only being operational a few days a year when needed to produce electricity to cover seasonal peaks. Although these plants only operate a few days a year, we must pay for debt charges, operation and maintenance costs year-round. These costs are passed on to consumers in electricity rates.

The use of our capacity to generate electricity has decreased in the last few years with the closure of some large industrial plants, the economic recession, and the efforts of Efficiency New Brunswick to put in place incentives and educational programs to reduce consumer energy use.

In the past, revenues from exports to New England helped keep electricity rates about 10 per cent lower than would have been the case if we had not had access to that export market. However, the growing abundance and price reduction of natural gas have resulted in a market price for electricity that has made New Brunswick's price uncompetitive in much of the New England market.

Recent research and analysis have highlighted the challenges of NB Power debt, aging generation facilities, declining provincial demand, uncompetitive industrial rates and a need for long-term planning in the electricity sector.

Natural Gas Sector

New Brunswick was using natural gas as early as the 1900s in the Moncton area with a supply from Albert County. The development of the Maritimes and Northeast Pipeline in the early 2000s and the opening of the Canaport LNG plant in 2009 provided access to another source of energy in southern New Brunswick. The natural gas distribution system serves about 11,000 customers in nine communities along the main transmission line from our border with Nova Scotia to the United States border at St. Stephen.

The natural gas distribution fee structure in New Brunswick is set to ensure savings for customers compared to the alternative energy commodities of electricity and oil. This formula was established to support the growth of natural gas use in New Brunswick but is now seen as a detriment to increased use. In particular, the distribution fee structure is seen to discourage the growth of the system through the addition of new customers as well to impact the competitive position of existing industries and our ability to attract new industries. Oil prices have been increasing in recent years, while natural gas prices have been falling on the North American market. This reduction in natural gas prices has benefited natural gas consumers in other jurisdictions, but New Brunswick consumers have not seen the same benefits due to the link to the price of oil under our distribution fee structure.

At the time of this report, natural gas development companies are predicting significant reserves of natural gas in New Brunswick, especially in shale deposits. The government could have a new economic opportunity with the development of natural gas from shale if appropriate rules for the sustainable and responsible development of the resource can be implemented. This could lead to the collection of royalties, new employment opportunities and the establishment of New Brunswick as a competitive location for economic development.

Petroleum Products Sector

The provincial government's involvement in the petroleum products sector (gasoline, diesel and heating fuels) has been focused on regulating the product costs for consumers. The federal government, meanwhile, is becoming more involved with environmental-management programs.

The price of petroleum products in the province's regulated system is based on a formula that applies similarly to transportation fuels and home-heating fuels. In 2006, the government introduced the *Petroleum Product Pricing Act*, which dictates the formula for setting the maximum price of transportation fuels and heating fuels that can be charged to consumers. This maximum price is set each week by the New Brunswick Energy and Utilities Board. In New Brunswick, a retailer is not permitted to charge more than the maximum price set by regulation but may charge less.

The location of the Irving Oil refinery in New Brunswick provides the province with a reliable local supply of refined products, and the volume produced is much greater than the region can consume. Security of supply is not an issue for our province outside of very significant world events.

Strengths

New Brunswick has a number of key strengths that will allow it to address the five objectives for energy established through the consultation process led by the Energy Commission. Through its consultation process, the Energy Commission identified the following key strengths for the province:

- New Brunswick's geographic location with respect to procuring electricity from numerous sources and the ability of our interconnected transmission system to deliver electricity to and from the province;
- multiple sources of natural gas, including the potential to produce our own; international transmission pipelines; and the start of a distribution system;
- electricity generators that have a variety of fuel sources and adequate environmental reduction equipment to meet expected standards for at least the next 10 to 15 years;
- an electrical transmission system that is well built, with established interconnections to five other jurisdictions, and with adequate capacity to meet our needs under our current structure;
- an established provincial government approach and programs to drive energy efficiency through education and incentives for all sectors (residential, commercial and industrial);
- a large oil refinery capable of processing various grades of oil into refined products that meet all environmental standards;
- a liquified natural gas facility that provides a source of natural gas from foreign sources and a storage opportunity for peak demand; and
- a strong highway and telecommunications infrastructure.

Recommendations

The Energy Commission feels its recommendations are consistent with what New Brunswick residents expressed during public consultations and in written submissions, as well as with its research and analysis. These recommendations are intended to achieve the overall energy plan objectives of low and stable energy prices; security of energy supply; electrical system reliability; sound environmental performance; and a strengthened and expanded role for the independent energy and utility regulator.

The following recommendations are intended to be used by the government to establish an energy plan that would be implemented during the next 10 years. It is expected that certain recommendations will take longer to address than others.

For Electricity

New Brunswick has a mature and well-developed electricity system and a unique long-term geographic advantage because its transmission system is interconnected with five jurisdictions: Prince Edward Island, Nova Scotia, New England, northern Maine and Quebec.

Investment decisions in electrical generation, transmission, and distribution are capital intensive and based on long-term planning and forecasts. While a number of economic and market events have negatively impacted the New Brunswick and northeastern United States marketplaces in recent years, the long-term outlook is for gradual growth in demand and reductions in excess capacity. In addition, environmental standards and policies will likely accelerate the retirement of certain fossil fuel generation units, while the development of natural gas from shale throughout North America will displace higher-priced generation units and contribute to the downward pressure on electricity prices in the near and medium terms.

These developments will entail a period of change for New Brunswick's electricity industry and provide an opportunity to restructure and transition New Brunswick's generation assets and transmission system for the longer-term economic, social and environmental benefit of our residents.

The Energy Commission plans to recommend:

1. The government should work to establish relationships with our regional neighbors with a goal to optimize the use of existing and new generation and transmission assets through joint ventures that reduce financial risk; to plan and assess opportunities to import clean, reliable and stably priced power; and/or to take advantage of opportunities to export excess capacity (power purchase agreements).
2. The government should pursue, wherever practical and economical, the joint operation of assets and sharing of reliability capacity, such as reserves, balancing, and co-ordinated economic dispatch, instead of building new assets.
3. The government should work with NB Power and stakeholders to develop a long-term strategy and implementation plan to reduce excess capacity, optimize generating efficiencies and reduce costs; to reduce the utility's debt burden; and to improve financial performance.
4. The government should work to increase regional environmental performance and reduce emissions by expanding green and renewable energy generation sources, while identifying and working towards the retirement of fossil fuel units.
5. The government should work to improve and strengthen the regulatory regime for New Brunswick's energy sector while also pursuing greater regional regulatory co-operation.

For Natural Gas

New Brunswick has access to natural gas from a number of external sources as well as the potential to produce its own gas. Because of its competitive cost, availability, and low environmental impact, natural gas should be considered the key transition fuel as we move from using other traditional fuels toward more renewable energy sources. Natural gas should be promoted to increase its use by consumers.

New Brunswick has the beginning of a distribution system that brings value to the province; the distribution charge, however, has been identified as a deterrent to residents switching to natural gas and to the potential of using natural gas as an economic development tool.

The Energy Commission plans to recommend:

6. The government should make changes to the cost structure of the natural gas distribution system to make natural gas more of an asset to New Brunswick, its residents and companies. Investment decisions in the distribution system have resulted in a debt level that makes future competitive cost of service unlikely even if we produce natural gas. The current pricing approach linking the cost of natural gas to the cost of heating oil and electricity removes any benefit associated with market supply and price conditions.
7. The government should create, in the regulatory framework for natural gas distribution, the flexibility to capture the benefits associated with our location, natural resources and access to natural gas, including increased access to natural gas resulting from the application of new technologies. The government should ensure that the regulatory framework is updated to allow for the use of natural gas in a variety of forms (regular, compressed, liquid) and with different methods of distribution to create a sustainable benefit. The regulations should allow independent distribution service to communities not located on the pipeline route (e.g., district fuel or heat systems); create tools to drive economic development opportunities (e.g., single end use franchises, directed tariffs); and allow host communities with natural gas developments access to that natural gas (e.g., local independent distribution systems in conjunction with gas well development).
8. The government should undertake research to identify different cost-effective methods of using natural gas, such as in a district heat or fuel system, to provide energy options to interested groups, communities or industrial clusters.

For Petroleum Products

Petroleum products comprise the largest segment of the energy sector in New Brunswick when considering cost, use and environmental emissions. The main role that the government can play in this sector is to influence consumer behaviour regarding consumption, especially with respect to its fleet (trucks, buses, cars).

The Energy Commission plans to recommend:

9. The government should maintain the fuel price regulation system in which the New Brunswick Energy and Utilities Board sets prices. Regular hearings to review margins should be held to maintain an understanding of the industry's cost structure. More regular public communication to explain the pricing method should be undertaken.
10. The government should undertake a review of the home heating oil delivery rate system to ensure that low-income customers are not unfairly affected by the rise in oil costs and minimum volume delivery levels.

11. The government should examine alternative ways to provide public transit in rural communities. The government should contribute to the development of public transit systems and transit systems for the differently-abled by providing fuel tax rebates to promote the creation of new service and enhance existing service with programs such as Park and Ride locations, fuel-efficient buses and expanded service. Such funds should be conditional on the sponsored municipalities maintaining levels of service or developing additional services.
12. The government should examine providing funding toward the public transportation of high school age students to enhance the public transit system, where possible, as a cost-effective method of transporting students. This measure would promote the use of public transit and support its operation.
13. The government should examine the potential of establishing a natural gas fuel system to fuel the provincial fleet of vehicles (trucks, buses, cars) as a foundation for introducing natural gas as another fuel option for the provincial transportation system. An alternative transportation fuel would be a long-term benefit for the provincial economy, especially if it is one of our own natural resources.
14. The government should work with the federal government to remove the requirement for non-petroleum based content in gasoline and diesel in New Brunswick until there is a viable and economic provincial source of non-food based biofuel available.
15. The government should identify measures for reducing the consumption of transportation fuels, such as lowering the speed limit or promoting no-idling policies. The government should conduct an analysis to identify the costs and benefits of such policies, including money saved for consumers and the reduction of the provincial carbon footprint.
16. The government should promote using teleconference options to reduce travel costs for public employees.

For Energy Efficiency

Implementing energy efficiency programs is the most cost-effective way to reduce demand on New Brunswick's energy system. Energy efficiency was seen as a priority by New Brunswick residents during the Energy Commission consultation process. Providing support to existing operations and establishing cost-effective regulations for new construction will benefit the province in the short and long term.

The Energy Commission plans to recommend:

17. The government should establish the process for funding energy efficiency programs by having the New Brunswick Energy and Utilities Board approve customer contribution rates based on efficiency program benefits for electricity, natural gas and heating oil buyers. Contributions from the government will be needed to support programs serving unregulated heating sources (e.g., wood, pellets) and for research.
18. The government should ensure that future energy efficiency programs encourage the move to efficient central-heating systems for existing homes and businesses. The government should legislate the elimination of baseboard electric heat in new construction to reduce the winter heating demand peaks and allow future fuel options.
19. The government should amend the *New Brunswick Building Code Act* to give itself the ability to make amendments to the National Building Code to improve energy efficiency standards as a way to promote lower energy costs and demand. Any amendments should have been proven to allow for an understanding of costs and any other impacts of the requirements.

20. The government should give priority attention to the creation of an energy efficiency program targeted at housing where the tenant is responsible for heating costs, especially in multi-unit buildings. The option of financing improvements through a property tax surcharge tied to the property improved should be considered where a portion of the money saved on the energy bill would go to repay the investment through a negotiated increase in rent.
21. The government should continue to work on developing Smart Grid applications that reduce the cost of providing service to consumers.
22. The government should direct NB Power to undertake programs that reduce demand at peak periods, including controlling water heaters and other appliances through targeted programming.
23. The government should direct NB Power to file an application with the New Brunswick Energy and Utilities Board to establish a second block for electricity billing for residential and general service customers. This second block would have an increased price for electricity to promote reduced consumption and reflect the added cost to NB Power to produce this additional electricity tied largely to heating requirements. The price for the second block should be established on a cost-of-service review. The size of the first block should be large enough to cover needed use but small enough to promote conservation.
24. The government should encourage the need for an energy audit as part of the residential property transfer process.

For Renewable Energy

Renewable energy sources are important to the environment, and they are becoming more important to the economy as costs become competitive and the operational requirements are better known. New Brunswick needs to move toward introducing a balanced portfolio of energy sources to allow a transition to a more renewable energy system. A recognition of the cost of balancing intermittent sources of electricity, notably wind, needs to be part of the cost calculation when developing a renewable energy approach.

The Energy Commission plans to recommend:

25. The government should amend its renewable energy certification standards in the *Electricity from Renewable Energy Regulation* to allow existing renewable facilities to be counted toward meeting our renewable portfolio.
26. The government should direct that existing biomass facilities are included in NB Power's renewable portfolio at an established feed-in-tariff rate. The Biomass feed-in tariff should be set to recognize its full benefits to New Brunswick residents and businesses, including availability, ease of dispatch and local job creation. Biomass in combined-cycle facilities should be a priority for future development based on a sustainable fibre supply.
27. The government should direct NB Power to incorporate all existing hydro-electricity dams in New Brunswick as part of its renewable portfolio to allow comprehensive dispatch to support the overall system with a hydro feed-in tariff.
28. The government should work toward the establishment of standards to ensure the quality and energy content of wood pellets produced and sold in the province.

29. The government should establish new renewable electricity targets under its *Electricity from Renewable Energy Regulation* to reflect the changes in the amended certification standards for the renewable energy portfolio as well as the opportunities to secure other renewable sources. Separate targets should be identified for provincial and regional sources or imports. Feed-in tariffs should be considered as an option used to balance the need for development and the protection of the ratepayer.

For Education and Awareness

The amount of information available to the public in the energy sector is overwhelming, but New Brunswick residents still expressed concern about receiving sufficient current and factual information to allow them to make informed energy choices at home and in support of global improvement. There is also a need to address new training requirements and certification of the skills needed for energy efficiency-related work and the installation of alternative energy systems.

The Energy Commission plans to recommend:

30. The government should direct the Department of Energy to develop a centralized source of information for consumers, including Internet sites and demonstration projects. The information should be accessible and user-friendly to help New Brunswick residents be aware of the costs and benefits of various energy options. The Department of Energy should co-operate on this initiative with the many non-governmental agencies involved in the energy sector in the province.
31. The government should review its approach to ensure it has the proper regulatory structure to allow and encourage certification and training programs for the most effective application of energy efficiency measures and alternative heating sources.
32. The government should encourage New Brunswick community colleges and universities to train and educate students who can play strong roles upon graduation in making the province a world leader in maximizing the value it receives from the energy it consumes and the energy sources available to it.

For Regulatory Matters

A strong regulatory structure is necessary to provide a safeguard for customers served by energy distributors. These distributors in electricity and natural gas need a level of oversight appropriate for this region at a reasonable cost as it is a direct cost to the consumer of the product. The regulatory structure is also responsible for the weekly price setting of gasoline, diesel and home heating fuel.

The Energy Commission plans to recommend:

33. The government should structure the New Brunswick Energy and Utilities Board to be a full-time professional board with a stronger mandate to consolidate expertise, be more efficient and reduce duplication. The model used in Nova Scotia could serve as a template as it reflects a proven, successful and cost-effective approach. The importance of having regional standards and co-ordination should be key considerations in the structuring of the board.
34. The government should look at expanding the mandate of the New Brunswick Energy and Utilities Board to encompass more of the regulated sectors similar to the approach followed in Nova Scotia, where insurance rates, water rates, planning and assessment appeals are included.

35. The government should establish a strong policy framework to direct the New Brunswick Energy and Utilities Board on the level of oversight authority. Final authority on rate setting will continue to reside with the government until the board has firm control and oversight of the cost of service in the electricity sector. All rate increases must be presented to and fully reviewed by the board. Benchmarking of performance targets and an integrated resources strategy should be part of the oversight process used by the board. All aspects of NB Power's operations should be subject to regulatory oversight.
36. The government should establish a policy for the New Brunswick Energy and Utilities Board to impose financial threshold levels for which NB Power and Enbridge Gas New Brunswick would have to receive prior approval with respect to capital spending or changes that affect long-term operational costs.
37. The government should create an Office of the Energy Advocate to represent the interests of customers of energy systems, including petroleum products. The office would have a consistent presence before the New Brunswick Energy and Utilities Board, and its representation of customer interests would include acting on complaints that warrant intervention. The creation of the office would remove the need for the current public intervener role. The commercial rate class should be provided funding to engage a representative for their particular concerns when the energy advocate has a conflict as a result of its representation of residential customers. Funding should be collected through the board's allocation method. The office would fall under the Department of Justice and Consumer Affairs.
38. The government should ensure that municipal electrical utilities are required to appear before the New Brunswick Energy and Utilities Board whenever they seek a rate increase that would be greater than that sought by NB Power Distribution and Customer Service Corporation.

For Development

New Brunswick has to work diligently to achieve the benefits that will be available through the energy sector. The government must be strategic in securing the greatest advantage for the economy and society while maintaining high environmental standards and strong regulatory oversight. Through its public consultation process and its research and analysis, the Energy Commission was exposed to the existence of a number of challenges facing the development of energy projects in our province.

The Energy Commission plans to recommend:

39. The government should, as part of the development of any energy-related legislation or regulations, undertake an economic impact test to identify the costs associated with the proposed measures. This is especially important for costs imposed on products sold in the export market.
40. The government should, as part of the natural gas development strategy, establish an economic benefits program with special attention paid to supply-side requirements and a commitment to the development of educational institutes in line with the original offshore agreements in Nova Scotia and Newfoundland and Labrador.

41. The government should develop a “Next Generation of Energy Group” that would counsel, advocate and facilitate the development of alternative energy projects with a focus on renewable energy. These projects would support the distribution system and create new approaches, such as district heating and district fuel systems, to allow alternative energy options. The government should put special emphasis on developing the pellet supply chain systems (wood or other biomass) for use in the province with standards for fuel performance, bulk delivery methods and production options.
42. The government should facilitate research and the application of technology to improve the responsible use of New Brunswick’s natural resources and maximize the value received from the province’s energy consumption through a defined strategy. Strong emphasis should be placed on supporting university-based research to attract top students to the energy sector.
43. The government should pursue the potential of connecting the Maritimes and Northeast Pipeline with the TransCanada Pipeline in Quebec to create a more secure national system with supply options from the Maritime region, including liquefied natural gas, off-shore and indigenous supply.
44. The government should work to establish an offshore oil and gas agreement with the federal government to define the role of each government in the development of oil or gas resources off our provincial coasts. A recent agreement with Quebec and existing agreements with Nova Scotia and Newfoundland and Labrador should provide a template for negotiations.
45. The government should review the site location requirements for wind turbines and natural gas wells to ensure that all neighbouring property owners, including non-occupants, are not adversely affected.
46. The government should focus on establishing targets for addressing climate change that are in line with the rest of Canada and look at regional approaches so as not to impose additional constraints on New Brunswick’s ability to compete but to ensure we are doing our part as we prepare the next provincial *Climate Action Plan*.
47. The government should work closely with labour and management to create within the building trades the necessary flexibility, especially at the apprentice level, to allow New Brunswick to be competitive in the construction, installation and maintenance of new projects, existing facilities, and new technologies emerging in the energy field.
48. The government should direct NB Power to establish a load shifting benefit-sharing program that would give customers who have the ability to reduce significant loads at peak times a benefit so the system can avoid the use of high-cost generation. Rates would reflect a sharing of benefits between the customer and NB Power.
49. The government should encourage research and development that would identify new cost-effective and environmentally-progressive methods of using New Brunswick’s natural resource opportunities, including natural gas, biomass, wind, solar, tidal and hydro. The results should be made available to New Brunswickers in a timely fashion to ensure they can benefit fully from this research and development.

Conclusion

The Energy Commission appreciates the public's input in developing the recommendations contained in this report, and it is looking forward to additional feedback to determine if this report accurately reflects the priorities, concerns and wishes of the residents of New Brunswick when it comes to planning the province's energy future. The Energy Commission recognizes the level of support for specific recommendations will vary but has made every effort to reflect what it heard and learned from the residents of New Brunswick during the public consultation process.

The Energy Commission greatly values the public's input and feedback on these recommendations, and it will submit the final report within one month.