



Province of Alberta

ELECTRIC UTILITIES ACT

FLARE GAS GENERATION REGULATION

Alberta Regulation 163/2003

With amendments up to and including Alberta Regulation 11/2018

Office Consolidation

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(Consolidated up to 11/2018)

ALBERTA REGULATION 163/2003

Electric Utilities Act

FLARE GAS GENERATION REGULATION

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Definitions

1 In this Regulation,

- (a) “Act” means the *Electric Utilities Act*;
- (b) “delivery interface” means the point at which electricity leaves a transmission facility and enters an electric distribution system;
- (c) “downstream” means on the electric distribution side of a delivery interface;
- (d) “flare gas generating unit” means a generating unit that uses for fuel
 - (i) only solution gas, or
 - (ii) solution gas and another substance as a supplement to maintain sufficient fuel volume to maintain the operation of the generating unit;
- (e) “flare gas generation” means the electric energy produced by a flare gas generating unit;
- (f) “operator” means a person who
 - (i) has a right to obtain or recover oil, gas, bitumen or oil sands, or any of them, and
 - (ii) may or may not be the owner of a flare gas generating unit;

- (g) “solution gas” means gas
 - (i) that is dissolved in crude oil or crude bitumen under reservoir conditions and evolves as a result of pressure and temperature changes,
 - (ii) that the Alberta Energy Regulator has determined to be uneconomic, and
 - (iii) that would otherwise be flared or vented if it were not used in a flare gas generating unit.

AR 163/2003 s1;254/2007;52/2013;89/2013

Flare gas generation exempt from sections of Act

2 Sections 17(d) and 18(2) of the Act do not apply to flare gas generation that is to be used solely by an operator if

- (a) the operator is working in the service area in which the flare gas generating unit is located,
- (b) the facilities operated by the operator and the flare gas generating unit are connected to a common delivery interface, and
- (c) the facilities operated by the operator and the flare gas generating unit are connected downstream of the common delivery interface.

Information to be provided to Independent System Operator

3(1) The Independent System Operator may request a person that produces flare gas generation to provide information relating to the production of electric energy by a flare gas generating unit to the Independent System Operator.

(2) The request under subsection (1)

- (a) may be made in respect of information generally or in respect of specific information, and
- (b) may specify the time and manner in which the information is to be provided.

(3) A person that produces flare gas generation must provide the information requested under subsection (1).

(4) Notwithstanding subsection (3), a person that produces flare gas generation is not required to disclose to the Independent System Operator any information relating to the price of flare gas generation that is sold or provided to an operator or other person.

Expiry

4 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on April 30, 2023.

AR 163/2003 s4;52/2013;11/2018

Coming into force

5 This Regulation comes into force on the coming into force of Parts 1 to 10 of the *Electric Utilities Act*.



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