

EXEMPTIONS TO PUBLIC UTILITIES**Date of Issue: December 8, 2017****Directive No: D-EL 2017-01****REVISION: 02**

This directive is being issued by a provincial safety manager pursuant to section 30 of the *Safety Standards Act*.

Scope

This directive provides guidance on the interpretation and application of the Electrical Safety Regulation in respect of electric power utilities.

ELECTRICAL SAFETY REGULATION S. 3 APPLICATION TO PUBLIC UTILITIES:

- (1) This regulation, except for section 3.1, does not apply to a public utility as defined in the **Utilities Commission Act** in the exercise of its function as a utility with respect to the generation, transmission and distribution of electrical energy.
- (2) Despite subsection (1), this regulation applies to the electrical equipment owned or in the possession or control of a public utility if the electrical equipment is not used directly in the generation, transmission, and distribution of electrical energy.

Interpretation

The Electrical Safety Regulation applies to electrical equipment at facilities, buildings, structures, plants, and projects that are owned by, or in the possession or control of, a public utility when the equipment is not used in the exercise of the public utility's function with respect to the generation, transmission, and distribution of electrical energy.

- A.** Except where an exemption has otherwise been provided by regulation, an electrical installation or operating permit is required when:
 - (a) The equipment is not owned or in the possession or control of a public utility, as defined in the Utilities Commission Act;
 - (b) Public utility owned electrical equipment is installed within electrical systems that do not form part of its function as a public utility with respect to generation, transmission, and distribution of electrical energy;
 - (c) A public utility performs electrical work on electrical systems that do not form part of its function as a public utility with respect to generation, transmission, and distribution of electrical energy; and
 - (d) The primary function of utility owned electrical equipment within a facility is not directly related to generation, transmission, or distribution of electrical energy, in its function as a utility.

- B.** Electrical equipment that is installed for the sole purpose of serving utility generation, transmission, or distribution equipment to meet a utility standard or requirement is interpreted as forming part of the function of the utility and is therefore included under the Section 3(1) exemption.
- C.** Installation or alteration of electrical equipment does not require an electrical permit if:
 - (a) The work is performed under a contract or written agreement with the public utility;
 - (b) The agreement between the utility and its service provider clearly establishes:
 - (i) utility supervision and control over design and installation; and
 - (ii) utility ownership or control of all electrical equipment and plants upon completion of the project
 - (c) The installation of the electrical equipment is designed and implemented as an extension or upgrade of the utility infrastructure; and
 - (d) Connection of an electrical supply does not occur until the utility has assumed full ownership or control of all installed electrical equipment.

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References:

Safety Standards Act
Electrical Safety Regulation
Bulletin IB-EL 2017-04 -Electrical Safety Regulation Application To Public Utilities