

Changes to Ontario's Net Metering Regulations

02 octobre 2018

On September 25, 2018, the Government of Ontario filed new regulations which revoked prior amendments to O.Reg. 541/05 (the Net Metering Regulation) and O.Reg. 389/10 (the Energy Consumer Protection Regulations).¹

Net Metering Changes

O. Reg. 541/05 (the Net Metering Regulation) requires electricity distributors to offer net metering to their customers upon request. Net metering is a billing method that, in accordance with the regulation, allows customers to generate renewable energy onsite for their own use, and to receive bill credits for any surplus electricity sent to the distribution grid.

Under the Net Metering Regulation, a customer seeking a net metering arrangement was required to own or operate a renewable energy generation (REG) facility for the purpose of generating electricity primarily for their own use.

In this context, O.Reg. 273/18 was to amend the Net Metering Regulation to enable third-party ownership of net-metered facilities, whereby customers could enter into power purchase agreements with third parties to own and operate REG facilities for the purposes of generating electricity to be used by the customer (who would enjoy the net metering benefits). The electricity conveyed by the generator to the customer would be **primarily for the customer's own use, but any surplus electricity generated would be conveyed into the distributor's distribution system on the customer's behalf. Aside from a net metering agreement described above, neither the customer nor the generator was permitted to be a party to any other contract or agreement, which provides for the sale of the electricity that the generator conveys into the distributor's distribution system.**

O.Reg. 273/18 was also to amend the Net Metering Regulation to introduce provisions to define parameters within which distributors, generators, and customers can develop and take part in virtual net metering demonstration projects. Virtual net metering refers to an arrangement where a customer is billed on a net-metered basis for eligible **electricity generated from a REG facility that is not located behind the customer's meter (i.e. not connected directly to the customer's load).** The purpose of the new provisions **was to**, inter alia, provide clarity regarding how net metering agreements for virtual net metering demonstration projects should be structured, and how billing and settlement should be conducted.

O.Reg. 273/18 was scheduled to come into effect October 1, 2018. The new O.Reg. 422/18 revoked the O.Reg. [273/18](#) amendments to the Net Metering Regulation with effect September 25, 2018.

Energy Consumer Protection Changes

Similarly, O.Reg. 275/18 was to amend the Energy Consumer Protection Regulation to harmonize the existing consumer protection framework with the new third party ownership of net-metered facilities business model. These amendments were intended to help customers make informed choices by ensuring a baseline level of knowledge regarding net metering arrangements. The changes were also intended to help maintain the relationship between the customer and the distributor with respect to net metering arrangements, including in cases where the customer participating in net metering through a third party generator.

The new O.Reg. 423/18 revokes the O.Reg. [275/18](#) amendments to the Energy Consumer Protection Regulation with effect September 25, 2018.

¹ [Ontario Regulation 422/18](#) and [Ontario Regulation 423/18](#) (the Revoking Regulations).

Par

[John A.D. Vellone, Gian Minichini](#)

Services

[Énergie – Électricité](#)

BLG | Vos avocats au Canada

Borden Ladner Gervais S.E.N.C.R.L., S.R.L. (BLG) est le plus grand cabinet d'avocats canadien véritablement multiservices. À ce titre, il offre des conseils juridiques pratiques à des clients d'ici et d'ailleurs dans plus de domaines et de secteurs que tout autre cabinet canadien. Comptant plus de 725 avocats, agents de propriété intellectuelle et autres professionnels, BLG répond aux besoins juridiques d'entreprises et d'institutions au pays comme à l'étranger pour ce qui touche les fusions et acquisitions, les marchés financiers, les différends et le financement ou encore l'enregistrement de brevets et de marques de commerce.

[blg.com](#)

Bureaux BLG

Calgary

Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3

T 403.232.9500
F 403.266.1395

Ottawa

World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9

T 613.237.5160
F 613.230.8842

Vancouver

1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2

T 604.687.5744
F 604.687.1415

Montréal

1000, rue De La Gauchetière Ouest
Suite 900
Montréal, QC, Canada
H3B 5H4

T 514.954.2555
F 514.879.9015

Toronto

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3

T 416.367.6000
F 416.367.6749

Les présents renseignements sont de nature générale et ne sauraient constituer un avis juridique, ni un énoncé complet de la législation pertinente, ni un avis sur un quelconque sujet. Personne ne devrait agir ou s'abstenir d'agir sur la foi de ceux-ci sans procéder à un examen approfondi du droit après avoir soupesé les faits d'une situation précise. Nous vous recommandons de consulter votre conseiller juridique si vous avez des questions ou des préoccupations particulières. BLG ne garantit aucunement que la teneur de cette publication est exacte, à jour ou complète. Aucune partie de cette publication ne peut être reproduite sans l'autorisation écrite de Borden Ladner Gervais S.E.N.C.R.L., S.R.L. Si BLG vous a envoyé cette publication et que vous ne souhaitez plus la recevoir, vous pouvez demander à faire supprimer vos coordonnées de nos listes d'envoi en communiquant avec nous par courriel à desabonnement@blg.com ou en modifiant vos préférences d'abonnement dans blg.com/fr/about-us/subscribe. Si vous pensez avoir reçu le présent message par erreur, veuillez nous écrire à communications@blg.com. Pour consulter la politique de confidentialité de BLG relativement aux publications, rendez-vous sur blg.com/fr/ProtectionDesRenseignementsPersonnels.

© 2025 Borden Ladner Gervais S.E.N.C.R.L., S.R.L. Borden Ladner Gervais est une société à responsabilité limitée de l'Ontario.