

GENERAL ORDER 2026-0048-01
Section 49 *Energy Resource Activities Act*

Issued to:

Zero Emissions Shinish Creek GP Corporation
801-322 11 Ave SW
Calgary, AB, T2R 0C5

Attention: Steven Gwatkin and Isabel Suggett

Order:

Pursuant to section 49(1)(d) of the *Energy Resource Activities Act* (the Act), I, Patrick Smook, order that Zero Emissions Shinish Creek GP Corporation (Zero Emissions) may operate the wind energy facility located at District Lots 6510, 6511, 6512, 6513, and 6514 Kamloops Division Yale District and District Lot 5390 Osoyoos Division Yale District (the Facility) subject to the following condition(s):

1. Zero Emissions must submit an application for an energy resource activity permit to the BC Energy Regulator (Regulator) for the Facility by October 1, 2026.
2. This order shall remain in effect until
 - a. a permit has been issued by the BCER in relation to the Facility, or
 - b. amended or terminated in whole or in part by the BCER.

Reasons:

I make this order for the following reasons:

- I. Zero Emissions has operated the Facility since January 27, 2017.
- II. As of July 1, 2025, the definition of an “energy resource activity” under the *Energy Resource Activities Act* (ERAA) is to be read to include the construction or operation of a facility for the generation or storage of renewable energy.
- III. Section 21 of the ERAA provides:

Subject to section 23, a person must not carry out an energy resource activity unless

- (a) either
 - (i) the person holds a permit that gives the person permission to carry out that energy resource activity, or
 - (ii) the person is required to carry out that energy resource activity by an order issued under section 49, and
- (b) the person carries out the energy resource activity in compliance with
 - (i) this Act and the regulations,
 - (ii) a permit issued to the person, if any, and
 - (iii) an order issued to the person, if any.

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- IV. At the date of this order, Zero Emissions does not hold a permit for the Facility.
- V. On March 8, 2017, Zero Emissions was granted a lease under the *Land Act* for Wind Power purposes. The lease requires Zero Emissions to complete a Development Plan that describes the siting of the Facility, particulars of construction, schedule of construction, production phase-in, installed turbine capacity, targeted long term production levels, environmental management strategies, site security, public access and safety, reclamation and decommissioning strategies and impact assessment.
- VI. The lease requires Zero Emissions to comply with the Development Plan.
- VII. The lease also includes requirements that govern the siting of the Facility.
- VIII. Section 21(1)(a)(ii) provides authority for carrying out an energy resource activity pursuant to an order issued under section 49.
- IX. I am satisfied that the Facility can operate in a safe and responsible manner while Zero Emissions completes the permit application process.

Review or Appeal

Zero Emissions may request a review of this order under section 70 of the Act or appeal this order under section 72 of the Act. Both a review and an appeal of the order cannot be commenced simultaneously.

A request for review may be sent to: determinationreviews@bc-er.ca.

Alternatively, a notice of appeal may be sent to the Energy Resource Appeal Tribunal info@bcerat.ca or mailed to:

Energy Resource Appeal Tribunal
PO Box 4925 Stn Prov Govt
Victoria, BC V8W 9V1

Information regarding the process for appeals may be found at www.bcerat.ca

Patrick Smook
Vice President, Compliance & Operations
BC Energy Regulator

DATED AT Fort St. John, in the Province of British Columbia, this 6th day of June, 2026.