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CHAIR:

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3rd SESSION, 67th GENERAL ASSEMBLY
Province of Prince Edward Island
5 CHARLES III, 2026

(Bill No. 52)

Electricity Consumer Advocate Act

Hon. Jill Burridge
Minister of Energy

GOVERNMENT BILL

Andrea MacRae
Acting King's Printer
Charlottetown, Prince Edward Island

For House Use Only

Prince Edward Island
Legislative Assembly

AMENDMENTS

ASSEMBLY / SESSION / YEAR
67th General Assembly / 3rd / 2026

BILL NUMBER: **52**

TITLE: **Electricity Consumer Advocate Act**

#	SECTION	AMENDMENT	DATE

NOTED:

_____
COMMITTEE CLERK

CERTIFIED CORRECT:

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CHAIR, IN COMMITTEE

ELECTRICITY CONSUMER ADVOCATE ACT

BILL NO. 52 **2026**

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

PART 1 - INTERPRETATION

1. Definitions

In this Act,

(a) "**Commission**" means the Island Regulatory and Appeals Commission established under section 2 of the *Island Regulatory and Appeals Commission Act* R.S.P.E.I. 1988, Cap. I-11;

(b) "**consumer**" means a residential electricity consumer or small business electricity consumer;

(c) "**direct expenses**" means the expenses incurred by the Electricity Consumer Advocate in a proceeding before the Commission, including all costs and disbursements incurred with respect to consultants, experts, witnesses and the appeal or review of a Commission decision;

(d) "**Electricity Consumer Advocate**" means the Electricity Consumer Advocate appointed under section 2;

(e) "**Minister**" means the Minister of Energy;

(f) "**operating expenses**" means the expenses incurred by the Electricity Consumer Advocate that are not direct expenses and includes the following:

  (i) the cost of the Electricity Consumer Advocate's salary, benefits and expenses,

  (ii) the cost of the salary, benefits and expenses of any other person employed in the Office of the Electricity Consumer Advocate;

(g) "**residential consumer**" means a residential consumer as defined in the regulations;

(h) "**small business**" means a small business as defined in the regulations.

PART 2 – ELECTRICITY CONSUMER ADVOCATE

2. Appointment of Electricity Consumer Advocate

The Lieutenant Governor in Council shall appoint a barrister and solicitor who is a member in good standing of the Law Society of Prince Edward Island as the Electricity Consumer Advocate, with the following responsibilities:

(a) to advocate on behalf of consumers in proceedings before the Commission;

(b) to assist consumers of electricity.

3. Term of office

(1) The Electricity Consumer Advocate shall hold office during good behaviour for a term of no more than three years.

Reappointment

(2) The Electricity Consumer Advocate shall be eligible for reappointment for additional terms.

Revocation for cause

(3) The appointment of the Electricity Consumer Advocate may be revoked by the Lieutenant Governor in Council for cause.

Grounds for removal from office

(4) Disclosure by the Electricity Consumer Advocate of information that the Electricity Consumer Advocate is required to keep confidential under this Act or any other Act shall be grounds for removal from office.

4. Powers and duties

(1) The Electricity Consumer Advocate shall exercise the powers and perform the duties conferred or imposed on the Electricity Consumer Advocate under this or any other Act or the regulations under this or any other Act.

Authorized activities

(2) In exercising the powers and performing the duties of the Electricity Consumer Advocate, the Electricity Consumer Advocate may do the following:

(a) inform and promote an awareness with respect to questions related to matters affecting residential and small business electricity consumers;

(b) provide information with respect to matters affecting residential and small business electricity consumers;

(c) receive and review any questions or complaints from consumers that are within the jurisdiction or powers of the Commission to determine under the *Electric Power Act* R.S.P.E.I. 1988, Cap. E-4;

(d) retain experts or consultants as needed to support the review of specific proceedings;

(e) exercise the powers and perform the duties that are prescribed by regulation.

Electricity Consumer Advocate as participant, intervener

(3) The Electricity Consumer Advocate may participate or intervene in a proceeding of the Commission initiated under any of the following Acts and, when doing so, shall make those representations that the Electricity Consumer Advocate considers to be in the interest of residential consumers, small business consumers or both, as the case may be:

(a) the *Electric Power Act*;

(b) any other Act prescribed by regulation.

Authority under other Acts

(4) The Electricity Consumer Advocate may participate or intervene in a proceeding before the Commission under any Act related to electricity but not listed in subsection (3) and, when doing so, shall make those representations that the Electricity Consumer Advocate considers to be in the interest of residential consumers, small business consumers or both, as the case may be.

Restrictions on advocacy

(5) During a proceeding of the Commission under subsection (4), the Electricity Consumer Advocate shall advocate on behalf of residential consumers, small business consumers or both, as the case may be, and shall not represent the interests of nor advocate on behalf of any other party to the proceeding, a single consumer, a consumer who represents a class of consumers other than the class for which the Electricity Consumer Advocate is advocating in the proceeding, a government department or agency or other interested group.

Authority to agree to settlement

(6) The Electricity Consumer Advocate and the other parties to the proceeding, subject to the approval of the Commission and in accordance with the processes and procedures established by the Commission, may agree to a settlement.

Right to present evidence, etc.

(7) During a proceeding of the Commission, the Electricity Consumer Advocate may present evidence, call witnesses, cross-examine witnesses and make submissions and representations to the Commission.

PART 3 – REPORTING

5. Fiscal year

(1) The fiscal year of the Electricity Consumer Advocate ends on March 31 of each year.

Budget

(2) The Electricity Consumer Advocate shall prepare and submit to the Minister by December 31 of each year a budget containing estimates of the direct expenses and operating expenses of the Electricity Consumer Advocate for the next fiscal year.

Audit

(3) The Electricity Consumer Advocate shall appoint an auditor to audit the accounts and financial transactions of the Electricity Consumer Advocate for each fiscal year.

Copy of report to Minister

(4) The Consumer Advocate shall submit to the Minister a copy of the auditor's report within three months of the end of the fiscal year.

6. Annual report

(1) Within three months after the end of each fiscal year, the Electricity Consumer Advocate shall prepare and submit an annual report to the Minister in which is set out a description of the activities of the Electricity Consumer Advocate during the previous fiscal year and any

information prescribed by regulation, and the Electricity Consumer Advocate shall send a copy to the Commission.

Tabling of report

(2) The Minister shall lay the annual report before the Legislative Assembly within 10 days after receiving it or, if it is not sitting, file a copy of the annual report with the Clerk of the Legislative Assembly.

Publication of report

(3) Within 30 days after the annual report is laid before the Legislative Assembly or filed with the Clerk of the Legislative Assembly, as the case may be, the Minister shall publish a copy of the annual report.

7. Immunity

No action, application or other proceeding lies or shall be instituted against any of the following persons for anything done or purported to be done in good faith or anything omitted in good faith in the execution or intended execution of their powers or duties under this Act or any other Act or the regulations under this or any other Act:

(a) the Electricity Consumer Advocate or a former Electricity Consumer Advocate;

(b) an employee or a former employee of the Electricity Consumer Advocate;

(c) any person appointed under this Act;

(d) any person who is acting or who has acted under the authority of this Act or the instructions of a person referred to in clause (a), (b) or (c).

8. Indemnity

The following persons shall be indemnified against all costs, charges and expenses incurred by them in relation to any action or other proceeding brought or prosecuted against them in connection with the duties of the person and with respect to all other costs, charges and expenses that the person incurs in connection with those duties, except costs, charges and expenses that are occasioned by that person's own wilful neglect or wilful default:

(a) the Electricity Consumer Advocate or a former Electricity Consumer Advocate;

(b) an employee or a former employee of the Electricity Consumer Advocate;

(c) any person appointed under this Act;

(d) any person who is acting or who has acted under the authority of this Act or the instructions of a person referred to in clause (a), (b) or (c);

(e) the heirs and legal representatives of the persons referred to in this section.

9. Administration by Minister

The Minister shall administer this Act and may designate persons to act on behalf of the Minister.

PART 4 – REGULATIONS, COMMENCEMENT

10. Regulations

The Lieutenant Governor in Council may make regulations

(a) defining "residential consumer", "small business consumer" and any word or expression used in but not defined in this Act for the purposes of this Act, the regulations or both;

(b) respecting information the Electricity Consumer Advocate is required to keep confidential;

(c) setting out the powers and duties of the Electricity Consumer Advocate for the purposes of subsection 4(2);

(d) prescribing Acts for the purposes of subsection 4(3);

(e) prescribing the circumstances that give rise to a conflict of interest;

(f) prescribing information for the purposes of an annual report under subsection 6(1);

(g) respecting any other matter that the Lieutenant Governor in Council considers necessary or advisable to carry out effectively the intent of this Act.

11. Commencement

This Act comes into force on a date that may be fixed by proclamation of the Lieutenant Governor in Council.

(Bill No. 52)

Electricity Consumer Advocate Act

STAGE:	***DATE:***
1st Reading:	November 3, 2026
2nd Reading:	
To Committee:	
Reported:	
3rd Reading and Pass:	
Assent:	

SIGNATURES:

Honourable Dr. Wassim Salamoun, Lieutenant Governor

Honourable Brad Trivers, Speaker

Joseph Jeffrey, Clerk

Hon. Jill Burridge
Minister of Energy

GOVERNMENT BILL

2026
3rd SESSION, 67th GENERAL ASSEMBLY