2026 Bill 45

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 45

NATURAL GAS INFRASTRUCTURE ACT

THE MINISTER OF ENERGY AND MINERALS

First Reading . . . . . .

Second Reading . . . . . .

Committee of the Whole . . . . . .

Third Reading . . . . . .

Royal Assent . . . . . .

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NATURAL GAS INFRASTRUCTURE ACT

(Assented to , 2026)

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HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Definitions

1 In this Act,

(a) "Crown owner" means

(i) the Government of Alberta,

(ii) a member of the Executive Council,

(iii) either of the following that owns, operates, manages or controls natural gas infrastructure:

(A) a Provincial agency as defined in the *Financial Administration Act*;

(B) a Crown-controlled organization as defined in that Act,

(iv) a corporation established under section 8 for the purpose referred to in section 8(1)(b), or

(v) an entity designated by the regulations,

but does not include a Provincial agency, Crown-controlled organization or other entity that is excluded by the regulations;

(b) "designated infrastructure" means natural gas infrastructure that is, or forms part of, a designated system and includes a gas transmission pipeline referred to in section 5(2);

(c) "designated system" means

(i) natural gas infrastructure designated as a Natural Gas Infrastructure System under section 5(1), or

(ii) a gas transmission pipeline that is a designated system under section 5(2)(b),

together with any gas transmission pipeline that forms part of that system under section 5(2)(a);

(d) "gas" means gas as defined in the *Gas Utilities Act*;

(e) "gas distribution system" means a gas distribution system as defined in Part 2.1 of the *Gas Utilities Act* and includes

(i) a rural gas utility, and

(ii) a low pressure distribution pipeline as defined in the *Gas Distribution Act*;

(f) "gas transmission pipeline" means a gas transmission pipeline as defined in Part 2.01 of the *Gas Utilities Act*;

(g) "Minister" means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;

(h) "natural gas infrastructure" means any system, pipeline, gas pipeline, facility, processing plant, gas processor, works, plant, pipes, equipment or service for the production, gathering, conveying, transmission, transporting, delivery, furnishing or supplying of gas by retail or wholesale, either directly or indirectly, to or for a customer, other than the transporting, delivery, furnishing or supplying by retail or wholesale, either directly or indirectly, of liquefied gas by means of tank car, tank wagon, cylinder or vessel, and includes anything prescribed as natural gas infrastructure in the regulations, but does not include

(i) any pipe or any system or arrangement of pipes that constitutes a distribution system for the distribution of gas to ultimate consumers,

(ii) a rural gas utility, or

(iii) a low pressure distribution pipeline as defined in the *Gas Distribution Act*;

(i) "person" includes an individual, unincorporated entity, partnership, association, corporation, trustee, executor, administrator or other legal representative;

(j) "planning authority" means the Natural Gas System Planning Authority designated under section 6(1);

(k) "rural gas utility" means a rural gas utility as defined in the *Gas Distribution Act*.

Purposes

2 The purposes of this Act are

(a) to provide for system-wide, long-term planning of natural gas infrastructure in Alberta to meet current and future needs for gas,

(b) to enable the Government of Alberta to participate in the development of natural gas infrastructure,

(c) to support competitive development of natural gas infrastructure in Alberta, and

(d) to support economic, orderly, efficient and responsible development in the public interest of natural gas infrastructure in Alberta.

Crown is bound

3 The Crown is bound by this Act.

Conflict with other enactments

4 If there is a conflict or inconsistency between this Act or the regulations and another enactment, the other enactment prevails.

Designated systems

5(1) The Lieutenant Governor in Council may, by regulation, designate natural gas infrastructure in Alberta, including natural gas infrastructure that is proposed to be constructed, as a Natural Gas Infrastructure System.

(2) A gas transmission pipeline designated as critical infrastructure under section 27.8 of the *Gas Utilities Act*

(a) forms part of the designated system specified for it in the regulations, or

(b) if the regulations do not specify a designated system for it, is itself a designated system.

Natural Gas System Planning Authority

6(1) The Lieutenant Governor in Council may, by regulation, designate a person or a Crown owner, other than a corporation established under section 8 for the purpose referred to in section 8(1)(b), as the Natural Gas System Planning Authority.

(2) The planning authority has the powers, duties and functions given to it by this Act and the regulations.

(3) During a period in which no planning authority is designated under subsection (1), the Minister has the powers, duties and functions of the planning authority, and a reference in this Act or the regulations to the planning authority includes the Minister.

(4) The planning authority and every Crown owner must comply with the regulations respecting conflicts of interest.

Rules

7(1) The planning authority may, to the extent authorized by the regulations, make rules respecting matters under section 9.

(2) The following must comply with a rule made under subsection (1):

(a) every Crown owner;

(b) every owner of designated infrastructure that has agreed under section 12(2) to be bound by a plan.

(3) The planning authority must make a rule made under subsection (1) available to the public.

(4) Notwithstanding section 4, the *Regulations Act* does not apply to rules made under subsection (1).

Corporations

8(1) The Lieutenant Governor in Council may, by regulation, establish one or more corporations, each for one of the following purposes:

(a) to exercise the powers and perform the duties and functions of the planning authority, if the corporation is designated under section 6(1);

(b) to carry out, as a Crown owner, the activities referred to in section 13(1).

(2) A regulation made under subsection (1) may address any matters that the Lieutenant Governor in Council considers necessary or advisable for the establishment and operation of a corporation or for the winding-up of its affairs.

(3) A corporation established under subsection (1) has the capacity and, subject to this Act and the regulations, the rights, powers and privileges of a natural person.

Plans

9(1) The planning authority may establish a plan for natural gas infrastructure in Alberta that does the following:

(a) addresses gas access and demand across Alberta;

(b) considers gas egress to markets outside Alberta;

(c) considers the dependencies between gas transmission pipelines, gas distribution systems and natural gas infrastructure;

(d) identifies any natural gas infrastructure that may need to be constructed;

(e) addresses any other matter provided for in the regulations.

(2) The planning authority may also establish a plan for a designated system that addresses the matters referred to in subsection (1) in respect of that system.

(3) A plan established under subsection (1) may include, as parts of the plan, regional plans or sub-plans prepared by the planning authority or another person, as provided for in the regulations.

(4) The planning authority may amend a plan established under this section.

(5) Before a plan is established or amended, the planning authority may, in accordance with the regulations, if any, engage in public consultation on the proposed plan or amendment.

(6) The planning authority may publish, in accordance with the regulations, if any, a plan established or amended under this section.

(7) The Minister may, by order, direct the planning authority to do one or more of the following:

(a) establish a plan under subsection (1) or (2);

(b) amend a plan under subsection (4);

(c) engage in public consultation under subsection (5);

(d) publish a plan under subsection (6).

(8) The planning authority must comply with a direction given under subsection (7).

(9) The Minister may, by order, vary or revoke a direction given under subsection (7).

Consideration of plans by regulators

10 The regulations may require a regulator to consider a plan established under section 9, to the extent and in the manner provided for in the regulations.

Compliance by Crown owners

11(1) Subject to the regulations, the Minister may, by order, direct a Crown owner to comply with all or part of a plan established under section 9.

(2) Subject to the regulations, a Crown owner given a direction by the Minister under subsection (1) must comply with the direction.

(3) The Minister may, by order, vary or revoke a direction given under subsection (1), including by exempting the Crown owner from complying with any part of the plan to which the direction applies.

Other owners

12(1) An owner of designated infrastructure that is not a Crown owner must have due regard to any plan established under section 9(2) for the designated system that the infrastructure is or forms part of.

(2) An owner of designated infrastructure that is not a Crown owner may agree to be bound by any plan established under section 9(2) for the designated system that the infrastructure is or forms part of, and the regulations may provide for those agreements and their effect.

Crown participation

13(1) The Minister, on behalf of the Crown in right of Alberta, or a Crown owner may, with the approval of the Lieutenant Governor in Council, do either or both of the following:

(a) construct natural gas infrastructure that a plan established under section 9 identifies as infrastructure that may need to be constructed, if the Minister is of the opinion that the infrastructure will not otherwise be constructed;

(b) acquire, own, operate, maintain and dispose of

(i) designated infrastructure, and

(ii) natural gas infrastructure constructed under clause (a).

(2) The Minister, on behalf of the Crown in right of Alberta and with the approval of the Lieutenant Governor in Council, may do one or more of the following:

(a) give guarantees of the obligations of any person, make loans of money, acquire existing loans of money, purchase or otherwise acquire shares, enter into joint ventures and partnerships, make grants and provide other financial support;

(b) direct the Alberta Petroleum Marketing Commission to commit volumes of gas and of products obtained from gas that it receives as the Crown's royalty share;

(c) enter into commercial arrangements with the Government of Canada, the government of another province or territory, a Crown owner or another person.

(3) The Minister or a Crown owner that carries out an activity referred to in subsection (1) or (2), whether under this section or under any other power, must do so in accordance with the regulations, if any.

(4) Subject to subsection (3), nothing in this section limits any other power of the Crown in right of Alberta or a Crown owner to carry out an activity referred to in subsection (1) or (2).

Regulations

14 The Lieutenant Governor in Council may make regulations

(a) for the purposes of section 1(a), designating entities as Crown owners and excluding Provincial agencies, Crown-controlled organizations or other entities, or classes of them;

(b) for the purposes of section 1(h), prescribing anything as natural gas infrastructure;

(c) exempting natural gas infrastructure owned by a municipality or any other natural gas infrastructure or class of natural gas infrastructure from the application of all or any provision of this Act or the regulations, and prescribing conditions or restrictions on the exemption;

(d) respecting the grouping of natural gas infrastructure into designated systems, including specifying, for the purposes of section 5(2)(a), the designated system of which a gas transmission pipeline forms part;

(e) respecting

(i) how natural gas infrastructure is designated within the existing franchise areas, as defined in the *Gas Distribution Act*, of rural gas utilities, and

(ii) how the planning authority is to consider, and the standards it must meet in considering, gas distribution systems, including rural gas utilities, and any natural gas infrastructure specified in the regulations in exercising its powers and performing its duties and functions, including in plans established under section 9;

(f) respecting the powers, duties and functions of the planning authority;

(g) respecting conflicts of interest in respect of the planning authority or a Crown owner;

(h) authorizing the planning authority to make rules under section 7(1) and respecting those rules;

(i) respecting corporations established under section 8, including, but not limited to,

(i) a corporation's name and head office,

(ii) a corporation's share capital or membership,

(iii) the size and composition of a corporation's board of directors and the appointment, eligibility, terms of office, removal and remuneration of directors,

(iv) the appointment of a corporation's chief executive officer,

(v) the powers and duties of a corporation's board of directors and officers,

(vi) a corporation's bylaws,

(vii) a corporation's financial matters, including borrowing, investment, indemnities and guarantees, subsidiaries, joint ventures and partnerships,

(viii) the records a corporation must keep and the reports it must make to the Minister,

(ix) whether a corporation is an agent of the Crown in right of Alberta, and

(x) the winding-up of a corporation's affairs, including the transfer of its assets, liabilities and employees;

(j) respecting plans established under section 9, including

(i) what a plan may address, and

(ii) any regional plans and sub-plans prepared under section 9(3) and who may prepare them;

(k) respecting public consultation under section 9(5) and the publication of plans under section 9(6);

(l) respecting the consideration of plans by regulators under section 10, and defining "regulator" for the purposes of that section;

(m) respecting directions under section 11(1), including their variation and revocation;

(n) respecting the powers, duties and functions of Crown owners under this Act and under plans established under section 9, including limits on those powers, duties and functions;

(o) respecting agreements under section 12(2) and their effect;

(p) respecting the carrying out of activities referred to in section 13(1) or (2) by the Minister or a Crown owner;

(q) respecting guarantees, loans, grants, acquisitions of shares, joint ventures, partnerships and other financial support under section 13(2)(a), including the circumstances in which they may be given, made, acquired, entered into or provided;

(r) defining terms used but not defined in this Act;

(s) respecting any matter related to a provision of this Act if the provision

(i) is expressed to be subject to the regulations or to exceptions provided for by the regulations, or

(ii) otherwise refers to the regulations.

Adoption by reference

15(1) A regulation made under this Act may adopt or incorporate, in whole, in part or with modifications, documents that set out standards, practices, codes of practice, guidelines, directives, objectives, methods or other rules of any government, organization or person, as they read at a particular time or as amended or replaced from time to time, relating to any matter in respect of which a regulation may be made under this Act.

(2) If a document is adopted or incorporated under subsection (1), the Minister must ensure that a copy of it is made available to a person on request.

(3) The planning authority may develop standards, practices, codes of practice, guidelines, directives, objectives or methods relating to

a matter under section 9 in respect of which a regulation may be made under this Act.

Amends SA 2007 cA-37.2

16(1) The *Alberta Utilities Commission Act* is amended by this section.

NOTE: 16(1) Amends chapter A-37.2 of the Statutes of Alberta, 2007.

(2) Section 17(2) is repealed and the following is substituted:

(2) The Commission shall not under subsection (1) give consideration to whether

(a) critical transmission infrastructure as defined in the *Electric Utilities Act* is required to meet the needs of Alberta, or

(b) a gas transmission pipeline, as defined in Part 2.01 of the *Gas Utilities Act*, that is designated as critical infrastructure by an order made under section 27.8 of that Act is necessary to meet the future need for delivery of gas to markets in Alberta.

NOTE: (2) Section 17(2) presently reads:

(2) The Commission shall not under subsection (1) give consideration to whether critical transmission infrastructure as defined in the Electric Utilities Act is required to meet the needs of Alberta.

Amends SA 2025 c8

17(1) The *Energy and Utilities Statutes Amendment Act, 2025* is amended by this section.

NOTE: 17(1) Amends chapter 8 of the Statutes of Alberta, 2025.

(2) Section 3(13) is repealed.

NOTE: (2) Section 3(13) presently reads:

(13) The heading preceding section 49 is repealed and the following is substituted:

Part 5
Miscellaneous

Amends RSA 2000 cG-5

18(1) The *Gas Utilities Act* is amended by this section.

NOTE: 18(1) Amends chapter G-5 of the Revised Statutes of Alberta 2000.

(2) Section 1(1)(j)(i) is amended

(a) by striking out "owning, operating, managing or controlling" **and substituting** "who owns, operates, manages or controls";

(b) by striking out "it" **wherever it occurs and substituting** "the person".

NOTE: (2) Section 1(1)(j)(i) presently reads:

1(1) In this Act,

(j) "owner of a gas utility" means

(i) a person owning, operating, managing or controlling a gas utility and whose business and operations are subject to the legislative authority of Alberta, and the lessees, trustees, liquidators of it or any receivers of it appointed by any court, but

(3) The following is added after section 27:

Part 2.01
Gas Transmission Pipelines

Definitions

27.1 In this Part,

(a) "gas transmission pipeline" means a pipeline, as defined in the *Pipeline Act*, that is

(i) used to convey gas,

(ii) not a low pressure distribution pipeline as defined in the *Gas Distribution Act*, and

(iii) not part of a rural gas utility as defined in the *Gas Distribution Act*;

(b) "owner of a gas transmission pipeline" means a gas utility designated for the purposes of section 1(1)(g.1);

(c) "restriction on investment" means a provision of a system planning agreement that has the purpose or effect of

(i) prohibiting or restricting an owner of a gas transmission pipeline from planning, constructing, extending or expanding a gas transmission pipeline in a geographic area or along a route in Alberta that would otherwise be available to that owner of a gas transmission pipeline, or

(ii) allocating or dividing the geographic areas, routes, markets or customers in Alberta respecting which an owner of a gas transmission pipeline may plan, construct, extend or expand a gas transmission pipeline;

(d) "system planning agreement" means an agreement, arrangement, understanding or instrument

(i) respecting the planning or coordination of gas transmission pipelines, and

(ii) to which at least one of the parties is an owner of a gas transmission pipeline.

Prohibitions re system planning agreement

27.11 Unless a system planning agreement is approved under section 27.2,

(a) an owner of a gas transmission pipeline shall not enter into the system planning agreement, and

(b) the Commission shall not issue a decision, order or direction that considers or gives effect to the system planning agreement.

Application re system planning agreement

27.12 An owner of a gas transmission pipeline who intends to enter into a system planning agreement shall, in accordance with the regulations, apply to the Commission for the Commission to submit a report under section 27.13(1) respecting the system planning agreement.

Commission's report re system planning agreement

27.13(1) The Commission shall, in accordance with the regulations, review an application made under section 27.12 and submit a report to the Minister respecting the system planning agreement.

(2) A report submitted under subsection (1) must

(a) identify the restrictions on investment, if any, included in the system planning agreement,

(b) identify the benefits and risks, if any, of the system planning agreement, and

(c) include any other information prescribed by the regulations.

Minister's decision re system planning agreement

27.14(1) The Minister shall review a report submitted under section 27.13(1) and either

(a) deny the approval of the system planning agreement, or

(b) recommend to the Lieutenant Governor in Council the approval of the system planning agreement under section 27.2.

(2) If the Minister denies the approval of a system planning agreement, the Minister shall, in accordance with the regulations, give notice to the owner of a gas transmission pipeline who made an application under section 27.12 respecting the system planning agreement.

Approval of system planning agreement

27.2 After receiving a recommendation made under section 27.14(1)(b), the Lieutenant Governor in Council may, by order, approve the system planning agreement.

Review of approved system planning agreements

27.3(1) The Commission shall, periodically and in accordance with the regulations, review the system planning agreements approved under section 27.2 and submit a report to the Minister respecting those system planning agreements.

(2) The Lieutenant Governor in Council may, by order, direct the Commission to, in accordance with the regulations, review a system planning agreement approved under section 27.2 and submit a report to the Minister respecting the system planning agreement.

Rescission of approval of system planning agreement

27.4(1) The Lieutenant Governor in Council may, by order, rescind the approval of a system planning agreement if the Lieutenant Governor in Council determines that the system planning agreement is not being carried out or providing outcomes in accordance with the purposes set out in section 2 of the *Natural Gas Infrastructure Act*.

(2) If a system planning agreement's approval is rescinded, the Commission shall not, after the expiry of the period prescribed by or an extended period allowed under the regulations, as applicable, issue a decision, order or direction that considers or gives effect to the system planning agreement.

Transitional for existing system planning agreements

27.5 The Commission shall not, after the expiry of the period prescribed by or an extended period allowed under the regulations, as applicable, issue a decision, order or direction that considers or gives effect to a system planning agreement that was entered into before the coming into force of this section.

Exemption of system planning agreements from Part 2.01

27.6 The Lieutenant Governor in Council may, by regulation, provide that this Part does not apply with respect to particular system planning agreements or types or classes of system planning agreements.

Extension or expansion of existing facilities

27.7 The Commission, on its own initiative or on the application of a person having an interest, may by order, which is to be made after giving notice to and hearing the parties interested, require an owner of a gas transmission pipeline to establish, construct, maintain and operate, in compliance with this Act, the *Natural Gas Infrastructure Act* and any other Act relating to this Act, any reasonable extension or expansion of the owner of the gas transmission pipeline's existing facilities if, in the judgment of the Commission,

(a) the extension or expansion is reasonable and practical,

(b) the extension or expansion is necessary to serve the demand for gas,

(c) the extension or expansion is necessary to provide safe, reliable and adequate gas transmission pipeline capacity in the public interest,

(d) the owner of the gas transmission pipeline is in the best position to establish, construct, maintain and operate the extension or expansion, and

(e) there is sufficient contracted, committed or otherwise demonstrable demand for gas to justify the establishment, construction, maintenance and operation of the extension or expansion.

Critical infrastructure

27.8(1) If the Lieutenant Governor in Council is satisfied that a gas transmission pipeline is necessary to meet the future need for delivery of gas to markets in Alberta, the Lieutenant Governor in Council may, by order,

(a) designate the gas transmission pipeline as critical infrastructure, and

(b) require the Commission to issue an order under section 23 of the *Alberta Utilities Commission Act* that requires an owner of a gas transmission pipeline to apply for the Commission to grant, through the exercise of the Commission's jurisdiction under section 4.1, a licence for the gas transmission pipeline under section 9 of the *Pipeline Act*.

(2) An order made under subsection (1) may impose any terms and conditions that the Lieutenant Governor in Council considers appropriate.

(3) If the Commission grants the licence referred to in subsection (1)(b), the Commission may issue an order under section 23 of the *Alberta Utilities Commission Act* that requires the owner of a gas transmission pipeline who applied for the licence to construct and operate the gas transmission pipeline.

(4) An order issued under section 23 of the *Alberta Utilities Commission Act* and referred to in subsection (1)(b) or (3) may impose any terms and conditions that the Commission considers appropriate.

Regulations

27.9 The Lieutenant Governor in Council may make regulations

(a) respecting applications made under section 27.12, including regulations respecting the form and manner in which applications must be made and the information that must be included in applications;

(b) respecting the review of applications and the submission of reports under section 27.13, including regulations

(i) prescribing the period within which a review must be completed and a report must be submitted and authorizing the Minister to extend that period, and

(ii) respecting the reports, including regulations respecting the form and manner in which a report must be submitted and prescribing, for the purpose of section 27.13(2)(c), any other information that must be included in a report;

(c) respecting notice given under section 27.14(2), including regulations respecting the form and manner in which notice must be given and the information that must be included in the notice;

(d) respecting the periodic review of, and the periodic submission of reports respecting, approved system planning agreements under section 27.3(1), including regulations respecting

(i) the timing and frequency of the reviews and of the submission of reports,

(ii) the form and manner in which the reports must be submitted, and

(iii) the information that must be included in the reports;

(e) respecting the review of, and the submission of reports respecting, approved system planning agreements under section 27.3(2), including regulations

(i) prescribing the period within which a review must be completed and a report must be submitted and authorizing the Minister to extend that period, and

(ii) respecting the reports, including regulations respecting the form and manner in which a report must be submitted and the information that must be included in a report;

(f) prescribing a period for the purpose of section 27.4(2) and authorizing the Minister to extend that period;

(g) prescribing a period for the purpose of section 27.5 and authorizing the Minister to extend that period;

(h) establishing types or classes of system planning agreements;

(i) providing that this Part does not apply with respect to particular system planning agreements or types or classes of system planning agreements;

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

NOTE: (3) Part 2.01 Gas Transmission Pipelines.

(4) Section 36(d) is amended

(a) by striking out "but";

(b) by striking out "extension" **wherever it occurs and substituting** "extension or expansion".

NOTE: (4) Section 36(d) presently reads:

36 The Commission, on its own initiative or on the application of a person having an interest, may by order in writing, which is to be made after giving notice to and hearing the parties interested,

(d) require an owner of a gas utility to establish, construct, maintain and operate, but in compliance with this and any other Act relating to it, any reasonable extension of the owner's existing facilities when in the judgment of the Commission the extension is reasonable and practical and will furnish sufficient business to justify its construction and maintenance, and when the financial position of the owner of the gas utility reasonably warrants the original expenditure required in making and operating the extension, and

(5) The heading "Part 4 Miscellaneous" preceding section 49 is repealed and the following is substituted:

Part 5
Miscellaneous

NOTE: (5) Corrects heading.

Coming into force

19 This Act, except sections 17 and 18(5), comes into force on Proclamation.

RECORD OF DEBATE

Stage	Date	Member	From	To

		Interventions	From	To

Stage	Date	Member	From	To

		Interventions	From	To

Stage	Date	Member	From	To

		Interventions	From	To

Stage	Date	Member	From	To

		Interventions	From	To

Stage	Date	Member	From	To

		Interventions	From	To

Stage	Date	Member	From	To

		Interventions	From	To