



14 March 2014

(14-1638)

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Original: English

**CANADA - CERTAIN MEASURES AFFECTING THE RENEWABLE
ENERGY GENERATION SECTOR**

CANADA – MEASURES RELATING TO THE FEED-IN TARIFF PROGRAM

STATUS REPORT BY CANADA

Addendum

The following communication, dated 13 March 2014, from the delegation of Canada to the Chairperson of the Dispute Settlement Body, is circulated pursuant to Article 21.6 of the DSU.

Status Report Regarding Implementation of the
DSB Recommendations and Rulings in the Dispute
Canada – Certain Measures Affecting the Renewable
Energy Generation Sector (WT/DS412) and
Canada – Measures Relating to the Feed-In Tariff Program (WT/DS426)

Canada submits this report in accordance with Article 21.6 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*.

On 24 May 2013, the Dispute Settlement Body ("DSB") adopted its recommendations and rulings in *Canada – Certain Measures Affecting the Renewable Energy Generation Sector* (WT/DS412) and *Canada – Measures Relating to the Feed-in Tariff Program* (WT/DS426). At the following DSB meeting, Canada informed the DSB of its intention to implement the recommendations and rulings of the DSB in connection with this matter.

Canada, Japan and the European Union ("EU") agreed that the reasonable period of time ("RPT") for Canada to implement the recommendations and rulings of the DSB would end on 24 March 2014, and jointly notified the DSB of this agreement on 29 July 2013.¹

Canada and the Government of Ontario have taken the following measures with a view to ensuring compliance with the recommendations and rulings of the DSB:

- By Ministerial Directive, on 12 June 2013, the Minister of Energy of the Province of Ontario ("Minister") instructed the Ontario Power Authority ("OPA") to not procure any additional energy under the Feed-In Tariff ("FIT") Program for large projects, and to instead develop a new competitive process for procurement of large renewable energy capacity through requests for proposal. As a result, large wind and solar electricity procurement are no longer subject to the domestic content requirements of the FIT Program.

¹ See *Canada - Certain Measures Affecting the Renewable Energy Generation Sector* - Agreement under Article 21.3(b) of the DSU, WT/DS412/16, 31 July 2013 and *Canada – Measures Relating to the Feed-in Tariff Program* – Agreement under Article 21.3(b) of the DSU, WT/DS426/16, 31 July 2013.

- The Minister issued a Directive on 16 August 2013 to the OPA to significantly lower the domestic content requirements for Small FIT and microFIT wind and solar electricity projects that are procured under the FIT Program, starting with the Fall 2013 procurement window.

In addition, the Government of Ontario tabled legislation to provide the Minister with the authority to direct the OPA to procure electricity under the FIT Program without any domestic content requirements. At the time of circulation of this status report, this legislation is in Second Reading in the Ontario Legislative Assembly.
