

Bill No. 9 of 1952.

A BILL TO AMEND THE PUBLIC UTILITIES ACT.

NOTE.

This Bill amends *The Public Utilities Act*, being chapter 28 of the Revised Statutes of Alberta, 1942.

Section 70a is amended. A new subsection (5) provides that where gas is gathered, treated or processed by the producer of the gas the Board of Public Utility Commissioners may, for the purpose of determining the value of the gas at wellhead, fix and determine the just and reasonable costs, charges or deductions to be made by the producer, or the method to be used in ascertaining such just and reasonable costs, charges or deductions. The new subsection (6) provides that the order of the Board shall apply to the lands designated in the order, shall be binding upon the producer except where inconsistent with a contract entered into by the producer with respect to costs, charges or deductions for the gathering, treating or processing of the gas; and may be for a fixed period not otherwise varied except by mutual consent or by the review of the Board as may be provided for in the Board's original order.

Section 70f is added which provides that the Board shall not vary an order made by it unless provision for the change is made in the original order or where all the parties consent to the variation in the cases where a contract has been made or may be made between the owner or producer of gas or the owner or operator of any gas absorption or processing plant and the distribution of gas for the supply of gas by the owner, producer or operator to the distributor, and which has been approved by the order of the Board.

This Bill comes into force upon assent.

J. W. RYAN,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 9 of 1952.

An Act to amend The Public Utilities Act.

(Assented to , 1952.)

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

1. *The Public Utilities Act*, being chapter 28 of the Revised Statutes of Alberta, 1942, is hereby amended.

2. Section 70*a* is amended by adding immediately after subsection (4) the following new subsections:

“(5) When gas,—

“(a) which is produced from any land is gathered, treated or processed; or

“(b) which may be produced from any land is to be gathered, treated or processed;

Section 70*a*
amended

by the producer of the gas, the Board, for the purposes of determining or establishing the value of the gas or any of its components as at the time and place of production from the well or on the location of the well, may fix and determine,—

“(a) the just or fair and reasonable costs, charges or deductions; or

“(b) the method, formula or basis to be applied, adopted or followed for ascertaining the just or fair and reasonable costs, charges or deductions;

to be made or to be deducted by the producer for or incidental to the gathering, treating or processing of the gas or any of its components.

“(6) An order made pursuant to subsection (5),—

“(a) shall apply and shall extend to such lands or areas as may be designated therein;

“(b) shall apply to and shall be effective and binding upon the producer and all parties to or for whom he is or may be liable to pay or account for the gas or any portion thereof or interest therein, except and save only insofar as the same is inconsistent with any express contractual obligation of the producer which fixes or establishes specific costs, charges or deductions, or the specific method, formula or basis for ascertaining the same, to be deducted or made by the producer for or incidental to the gathering, treating or processing of the gas;

“(c) may be for a fixed or determinable period or periods, or be subject to future review by the Board, as may be provided in the order and shall not be otherwise changed or varied by the Board except and only insofar as the change or variation is consented to by all of the parties affected thereby.”.

3. The following new section is added immediately after New section 70f section 70e :

“70f. A contract or other arrangement heretofore or hereafter made between the owner or producer of any gas or the owner or operator of any absorption or gas processing plant and the distributor of gas, by wholesale or retail, for the sale or supply of gas by the owner, producer or operator to the distributor, if approved by order of the Board, shall not be changed or varied by the Board, either as to prices or otherwise, except,— Variation or changing of contract

“(a) provision for any such change or variation is reserved in, or made a condition of, the approving order; or

“(b) only insofar as the change or variation is mutually agreed upon by the parties to the contract or arrangement.”.

4. This Act shall come into force on the day upon which Coming into force it is assented to.

FIFTH SESSION
ELEVENTH LEGISLATURE

1 Elizabeth II

1952

BILL

An Act to amend The Public Utilities
Act.

Received and read the

First time

Second time

Third time

HON. MR. GERHART.
