

1982 BILL 12

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Fourth Session, 19th Legislature, 31 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 12**

**HYDRO AND ELECTRIC ENERGY  
AMENDMENT ACT, 1982**

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MRS. CRIPPS

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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Bill 12  
Mrs. Cripps

## BILL 12

1982

### HYDRO AND ELECTRIC ENERGY AMENDMENT ACT, 1982

(Assented to \_\_\_\_\_, 1982)

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

1 *The Hydro and Electric Energy Act is amended by this Act.*

2 *Section 13 is amended*

(a) *by repealing subsection (1) and substituting the following:*

**13(1)** The Board shall refer an application for a permit or an amendment of a permit to

(a) the Minister of the Environment, and

(b) if Crown land is affected, the Associate Minister of Public Lands and Wildlife

for their approval of the application as it affects matters of the environment.

(b) *in subsection (2) by striking out "Minister of Energy and Natural Resources" and substituting "Associate Minister of Public Lands and Wildlife";*

(c) *by adding the following after subsection (2):*

(3) Notwithstanding subsection (1), the Minister of the Environment or the Associate Minister of Public Lands and Wildlife may direct that

(a) an application, or

(b) a type of application

for a permit or an amendment of a permit specified by him be not referred to him.

## Explanatory Notes

**1** This Act will amend chapter H-13 of the Revised Statutes of Alberta 1980.

**2** Section 13 presently reads:

*13(1) The Board shall refer an application for a permit or an amendment of a permit to the Minister of the Environment and the Minister of Energy and Natural Resources for their approval of the application as it affects matters of the environment.*

*(2) The Minister of the Environment and the Minister of Energy and Natural Resources, or either of them, may give their approval with or without conditions, but when conditions are imposed, the Board shall, if it grants a permit or an amendment of a permit, make the permit or amendment subject to the same conditions imposed by the Minister of the Environment or the Minister of Energy and Natural Resources, or both of them, when they gave their approval.*

(4) The Minister of the Environment or the Associate Minister of Public Lands and Wildlife, as the case may be, may authorize an officer of his department to exercise the powers conferred on him by this section.

3 *Section 18(3) is repealed and the following is substituted:*

(3) Notwithstanding sections 7(5) and (10), 9(5) and 13(2), the Board is not required to impose the conditions specified by the Minister of the Environment, the Minister of Energy and Natural Resources and the Associate Minister of Public Lands and Wildlife or any of them, when the Lieutenant Governor in Council directs that the conditions are not to be imposed.

4 *Section 21 is amended by striking out “or” at the end of clause (a.1).*

5 *The following is added after section 23:*

**23.1** Notwithstanding section 23, the Board may approve the construction or operation of an electric distribution system in the service area of another electric distribution system if the Board is satisfied that it is for the purpose of providing service to a consumer in that service area who is not being provided service by the distribution system approved to distribute electric energy in that service area.

**3 Section 18(3) presently reads:**

*(3) Notwithstanding sections 7(5) and (10), 9(5) and 13(2), the Board is not required to impose the conditions specified by the Minister of the Environment and the Minister of Energy and Natural Resources, or either of them, when the Lieutenant Governor in Council directs that the conditions are not to be imposed.*

**4 Section 21 presently reads:**

*21 No corporation shall acquire an approval, permit or licence by application, assignment or transfer unless the corporation is*

*(a) registered under the Companies Act,*

*(a.1) registered, incorporated or continued under the Business Corporations Act, or*

*(b) incorporated by an ordinance or an Act of the Legislature which empowers it to engage in the business of generation or transmission of electricity,*

*(c) a bank,*

*(d) a railway company incorporated under an Act of the Parliament of Canada,*

*(e) a trust company,*

*(f) an insurance company licensed under the Insurance Act,*

*(g) a municipal corporation, or*

*(h) a co-operative association.*

**5 Section 23 presently reads:**

*23(1) Notwithstanding anything in any other Act or in any approval or order issued pursuant to any other Act, no person shall construct or operate an electric distribution system or alter the service area of an electric distribution system without the approval of the Board, which approval shall include the designation by the Board of his service area.*

*(2) Approval under this section shall not be given unless the Board is satisfied, having regard to the availability of any other source of electric energy and to any other circumstances, that it is in the public interest having regard to those circumstances and the present and future need for the extension of electric service throughout Alberta.*

6 *Section 39 is repealed.*

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*In accordance with section 4(1) of the Interpretation Act,  
this Bill comes into force on the date it receives Royal  
Assent.*

**6 Section 39 presently reads:**

*39 The Board shall not issue an order, approval or permit under the authority of section 7, 8, 12, 16, 17, 23 or 26 without publication of notice or a hearing, unless in the light of all the circumstances the Board considers the matter to be of a minor nature that would not warrant the publication of notice or a hearing.*