

1983 BILL 20

First Session, 20th Legislature, 32 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 20

RURAL GAS AMENDMENT ACT, 1983

~~MRS. CRIPPS~~

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 20
Mrs. Cripps

BILL 20

1983

RURAL GAS AMENDMENT ACT, 1983

(Assented to _____ *, 1983)*

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

- 1 The Rural Gas Act is amended by this Act.*
- 2 Section 1 is amended by repealing clause (a).*

- 3 The following is added after section 3(j):*
 - (j.1) prescribing the conditions under which a distributor may, with the consent of the Minister, construct an extension of its rural gas utility to a consumer whose location is within the service area of another distributor;*
- 4 Section 4(1)(b) is repealed.*

- 5 Section 8(1) is amended by striking out "30, 31, 32, 33(3) or 35" and substituting "31, 32, 33, 34(3), 35(3) or 36".*

Explanatory Notes

1 This Bill will amend chapter R-19 of the Revised Statutes of Alberta 1980.

2 Section 1(a) presently reads:

1 In this Act,

(a) "allowable distribution system pressure" means the maximum pressure at which rural gas distribution systems may be operated as prescribed by the appropriate licences under the Pipeline Act and by the regulations under the Gas Protection Act;

3 Section 3(j) presently reads:

3 The Lieutenant Governor in Council may make regulations

(j) prescribing the rights and duties of distributors in relation to the construction and operation of rural gas utilities;

4 Section 4(1) presently reads:

4(1) The Lieutenant Governor in Council may make regulations

(a) prescribing the extra charges that a distributor may charge to consumers who decline or refuse gas service when they had an opportunity to obtain it at the time the rural gas utility or extension of it, as the case may be, was first constructed and who later apply for gas service from that utility or extension;

(b) requiring in any case that all extra charges referred to in clause (a) that are received by a distributor shall be paid by the distributor to the Government or prescribing in any case the percentage of any extra charges received by the distributor that shall be paid by the distributor to the Government.

5 Section 8(1) presently reads:

8(1) Any person who contravenes section 10, 11, 14(1), 14(2), 22, 23, 25, 30, 31, 32, 33, 34(3) or 35 is guilty of an offence and liable to a fine not exceeding \$5000 and in default of payment to a term of imprisonment not exceeding 3 months.

6 Section 10(3)(b) is amended by striking out “and whose actual or estimated rate of consumption of gas is greater than 283 000 cubic metres per year” and substituting “in accordance with the regulations”.

7 Section 27 is amended

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

27(1) The Minister may purchase, construct, operate and maintain a high pressure gas pipeline that is required to bring gas from a source to a rural gas utility.

(b) in subsection (2), by adding “purchased or” after “pipeline”;

(c) by repealing subsection (3) and substituting the following:

(3) The Minister may purchase, construct, operate and maintain a meter station.

(4) The Minister may enter into an agreement in respect of any or all of the construction, operation and maintenance of a pipeline or meter station purchased or constructed under this section.

8 Section 29(1) is amended

(a) in clause (a), by striking out “buy” and substituting “purchase”;

(b) by repealing clause (c) and substituting the following:

(c) operate and maintain all or any part of a rural gas utility operated at high pressure;

(c) by adding the following after clause (d):

(d.1) enter into an agreement with a distributor, agency or person for the operation and maintenance of all or part of a rural gas utility;

9 Section 34(2) is amended by adding “or consumers” after “members”.

6 Section 10(3) presently reads:

(3) Notwithstanding subsections (1) and (2), a distributor may, with the consent of the Minister,

(a) construct an extension of his rural gas utility to a consumer who is not then in any franchise area and whose location cannot, in the opinion of the Minister, be included in the service area of the distributor by reason of its distance from the service area or its isolated location, or

(b) construct an extension of his rural gas utility to a consumer whose location is within the service area of another distributor and whose actual or estimated rate of consumption of gas is greater than 283 000 cubic metres per year.

7 Section 27 presently reads:

27(1) The Minister may construct, operate and maintain a high pressure gas pipeline that is required to bring gas from a distant source to the load centre of a rural gas utility.

(2) A pipeline constructed under this section shall be owned by the Crown in right of Alberta unless transferred by the Crown to another government, agency or person.

(3) The Minister may enter into an agreement with a person for the construction, operation or maintenance, or all of them, of a pipeline to be constructed under this section.

8 Section 29(1) presently reads:

29(1) The Minister may

(a) buy, sell and exchange gas;

(b) act as a broker with respect to the sale and purchase of gas;

(c) operate and maintain, through agents, any portion of a rural gas utility operated at pressures greater than the allowable distribution system pressure for the utility;

(d) enter into an agreement or arrangement with a distributor to provide customer billing services for the distributor;

(e) exercise and perform any powers or duties conferred or imposed on him by the regulations in respect of operations of, or the supply of gas to, rural gas utilities and individual taps.

9 Section 34(2) presently reads:

(2) A rural gas co-operative association may in contracting with its members use its own form of gas service contract if the form of the contract has been approved by the Minister, notwithstanding that a form of gas service contract has been prescribed pursuant to subsection (1).

10 In the following provisions “or rural municipal authority” is added after “association” wherever it occurs:

section 33;
section 34;
section 35;
section 37.

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

10 This amendment makes rural municipal authorities subject to the same provisions as rural gas co-operative associations with respect to rural gas utilities.