

1984 BILL 78

Second Session, 20th Legislature, 33 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 78

**ELECTRIC ENERGY MARKETING
AMENDMENT ACT, 1984**

THE MINISTER OF UTILITIES
AND TELECOMMUNICATIONS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 78

1984

ELECTRIC ENERGY MARKETING AMENDMENT ACT, 1984

(Assented to _____, 1984)

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

1 *The Electric Energy Marketing Act is amended by this Act.*

2 *The following is added after section 1(a):*

(a.1) "Board" means the Public Utilities Board;

(a.2) "consumer group" means a group of consumers identified in the regulations;

3 *Section 12 is amended by adding " , including forecasts," after "information".*

4 *The following is added after section 13:*

13.1(1) The Board by order in writing shall set the price or pricing formula in respect of each consumer group at which electric energy shall be sold under section 14 to the Agency during a year by the owner of the electric energy.

(2) The price or pricing formula set under subsection (1) shall be based on the information, including forecasts, required by the Board or the regulations to be filed with the Board by the owner of the electric energy.

(3) The price or pricing formula set under subsection (1) in respect of a consumer group may differ from that set in respect of another consumer group.

13.2(1) Subject to the regulations, the Board, either on its own initiative or on the application of a person having an interest, by order in writing that shall be made after giving notice to and hearing the parties interested may adjust a price or pricing formula set by the Board under section 13.1 for a prior year if, in the opinion of the Board, an adjustment should be made.

(2) A person having an interest may apply for an adjustment order under subsection (1) not later than 18 months after the year to which the price or pricing formula to be adjusted applies.

Explanatory Notes

1 This Bill will amend chapter E-4.1 of the Statutes of Alberta, 1981.

2 Adds new definitions.

3 Section 12 presently reads:

12 The owner or operator of a public utility or an electric distribution system shall provide the Agency with any information that the Agency requires for the purposes of this Act or the regulations.

4 Powers and duties of the Public Utilities Board.

(3) Notwithstanding subsection (1), the Board shall not make an adjustment order in respect of a price or pricing formula set by it for 1984 or any earlier year.

(4) Notwithstanding subsection (1), the Board shall not make an adjustment order more than 2 years after the year to which the price or pricing formula to be adjusted applies.

(5) Except as otherwise expressly provided by this Act, all the provisions except sections 52 to 56 of the *Public Utilities Board Act* relating to hearings, service of notices or orders, regulations, rules and procedure, costs of and incidental to a proceeding before the Board, enforcement of orders, appeals, rights, privileges and immunities of the Board, and applicable in the case of a public utility under that Act apply and have effect as if this Act formed a part of the *Public Utilities Board Act*.

(6) If a person having an interest has applied for an adjustment order under subsection (1) and the Board has not made an adjustment order or an order denying the application within 2 years after the year to which the price or pricing formula applies, for the purposes of an appeal, the Board is deemed to have made an order denying the application on December 31 of the second year.

5 *Section 14 is amended*

(a) *in subsection (1) by striking out “the Public Utilities Board Act” and substituting “section 13.1”;*

(b) *by adding the following after subsection (5):*

(6) If the Board makes an adjustment order with respect to a price or pricing formula for a prior year under section 13.2, the Agency shall adjust the total sum for which it resells electric energy in respect of that consumer group to the person from whom it was purchased in the current year in accordance with the adjustment order and the regulations.

(7) Notwithstanding subsections (2) and (3), if the Agency makes an adjustment under subsection (6),

(a) the Agency shall resell all the electric energy leaving the pooling interface to the person from whom it was purchased in the current year for the adjusted total sum, and

(b) the person from whom the electric energy was purchased shall repurchase all the electric energy leaving the pooling interface from the Agency in the current year for the adjusted total sum.

6 *Section 16(2) is amended*

(a) *in clause (c) by striking out “class or classes of consumer” and substituting “consumer group”;*

(b) *by adding the following after clause (c):*

(c.1) identifying a class or classes of consumers as a consumer group;

5 Section 14(1) to (3) presently read:

14(1) The owner of electric energy produced or exchanged for energy produced in Alberta entering a pooling interface shall sell that electric energy at the pooling interface to the Agency at the price or under the pricing formula set by the Public Utilities Board under the Public Utilities Board Act.

(2) The Agency shall resell the electric energy leaving the pooling interface to the person from whom it was purchased under subsection (1) at the price or under the pricing formula set by the Agency.

(3) The person from whom electric energy was purchased under subsection (1) shall repurchase all the electric energy it sold to the Agency at the pooling interface and at the price or under the pricing formula set by the Agency.

6 Section 16(2)(c) presently reads:

(2) Without restricting subsection (1), the Lieutenant Governor in Council may make regulations

(c) respecting the price at or pricing formula under which electric energy is to be sold by the Agency for ultimate delivery to a particular class or classes of consumer;

- (c.2) respecting the information, including forecasts, required to be filed with the Board and the person required to file it;
- (c.3) respecting the time by which anything is required to be done under this Act;
- (c.4) respecting the matters to be considered by the Board in making an adjustment order under section 13.2;
- (c.5) respecting the adjustments to be made by the Agency under section 14(6);
- (c.6) respecting interest on any money paid to or received by an owner of a public utility;

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

