

1984 BILL 79

---

Second Session, 20th Legislature, 33 Elizabeth II

---

THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 79**

**PUBLIC UTILITIES BOARD AMENDMENT ACT, 1984**

---

---

THE MINISTER OF UTILITIES  
AND TELECOMMUNICATIONS

---

---

First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

---

---

## BILL 79

1984

### PUBLIC UTILITIES BOARD 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 Public Utilities Board Act is amended by this Act.*
- 2 *Section 1 is amended by adding the following after clause (b):*
  - (b.1) "consumer group" has the same meaning as in the *Electric Energy Marketing Act*;
- 3 *Section 70(2.1) is repealed.*
  
- 4 *Section 83 is amended*
  - (a) *by renumbering it as section 83(1);*
  - (b) *in subsection (1), by striking out "In" and substituting "Subject to subsection (2), in";*
  - (c) *by adding the following after subsection (1):*
    - (2) **In fixing just and reasonable rates, tolls or charges, or schedules thereof, to be imposed, observed or followed by the owner of a public utility to which the *Electric Energy Marketing Act* applies, the Board shall deem**
      - (a) **the total sum received by the owner of a public utility from the Electric Energy Marketing Agency for electric energy purchased by the Agency in respect of a consumer group to be revenue to the owner of the public utility in respect of that consumer group for the year in which the sum is paid, and**
      - (b) **the total sum paid by the owner of a public utility to the Electric Energy Marketing Agency for electric energy purchased from the Agency in respect of a consumer group to be the cost to the owner of the public utility of the electric energy in respect of that consumer group for the year in which the sum is paid.**

## Explanatory Notes

- 1 This Bill will amend chapter P-37 of the Revised Statutes of Alberta 1980.
- 2 Adds a definition.
- 3 Section 70(2.1) presently reads:

*(2.1) Notwithstanding subsection (2), sections 79 to 87, 93 and 94 apply to that part of a public utility owned or operated by a municipality that is at and upstream from the pooling interface and to which the Electric Energy Marketing Act applies.*
- 4 Section 83 presently reads in part:

*83 In fixing just and reasonable rates, tolls or charges, or schedules thereof, to be imposed, observed and followed by an owner of a public utility,*

  - (a) the Board may consider all revenues and costs of the owner that are in the Board's opinion applicable to a period consisting of*
    - (i) the whole of the fiscal year of the owner in which a proceeding is initiated for the fixing of rates, tolls or charges, or schedules thereof,*
    - (ii) a subsequent fiscal year of the owner, or*
    - (iii) 2 or more of the fiscal years of the owner referred to in sub-clauses (i) and (ii) if they are consecutive, and need not consider the allocation of those revenues and costs to any part of such a period,*
  - (a.1) the Board shall consider the effect of the Electric Energy Marketing Act on the revenues and costs of the owner with respect to the generation, transmission and distribution of electric energy,*
  - (b) the Board may give effect to that part of any excess revenue received or any revenue deficiency incurred by the owner that is in the Board's opinion applicable to the whole of the fiscal year of the owner in which a proceeding is initiated for the fixing of rates, tolls or charges, or schedules thereof, as the Board determines is just and reasonable,*

5 *Section 84 is amended*

(a) *by renumbering it as section 84(1);*

(b) *in subsection (1), by striking out “In” and substituting “Except as provided in subsection (2), in”;*

(c) *by adding the following after subsection (1):*

(2) The Board may fix rates, tolls or charges or schedules thereof to be imposed, observed or followed by the owner of a public utility to which the *Electric Energy Marketing Act* applies in such a manner that the rates to the members of a consumer group may be increased or decreased from year to year without a hearing or notice to any person except the owner, if the increase or decrease is a result of a change in the deemed cost of the electric energy to that owner in respect of that consumer group.

---

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

**5 Section 84 presently reads:**

*84 In fixing just and reasonable rates, tolls or charges or schedules thereof to be imposed by the owner of a public utility, the Board shall not fix any rate, toll or charge or schedule in such a manner that the rate to the consumers or any class of consumers may be increased from year to year or other period without a further application to and order of the Board thereon.*