

1990 BILL 9

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Second Session, 22nd Legislature, 39 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 9

ELECTRICAL STATUTES AMENDMENT ACT, 1990

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THE MINISTER OF ENERGY

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill 9*

## **BILL 9**

1990

### **ELECTRICAL STATUTES AMENDMENT ACT, 1990**

*(Assented to , 1990)*

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

#### **Hydro and Electric Energy Act**

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

*(2) Section 22 is repealed and the following is substituted:*

**22(1)** A person distributing or proposing to distribute electric energy solely on land of which he is the owner or tenant for use on that land and

(a) not across a public highway, or

(b) across a public highway if the voltage level of the distribution is 750 volts or less

is not subject to this Part unless the Board otherwise directs.

(2) A person referred to in subsection (1) shall, when required by the regulations to do so, immediately notify the Board of the use or proposed use of the distribution and shall provide any further information relating to the distribution or use that the Board requires.

*(3) Section 34 is renumbered as section 34(1) and the following is added after subsection (1):*

(2) Notwithstanding anything in this Act, any cross arm, power line, wire or other component that is attached to or rests on a structure forming part of a transmission line may project into the

## **Explanatory Notes**

### **Hydro and Electric Energy Act**

1(1) This section will amend chapter H-13 of the Revised Statutes of Alberta 1980.

(2) Section 22 presently reads:

*22(1) A person distributing or proposing to distribute electric energy solely on land of which he is the owner or tenant, for use on that land and not across a public highway, is not subject to this Part unless the Board otherwise directs.*

*(2) Notwithstanding subsection (1), a person distributing or proposing to distribute electric energy solely on land of which he is the owner or tenant, for use on that land and not across a public highway, shall, when required by regulation to do so, immediately notify the Board of the use or proposed use and provide any details of the distribution and use that the Board requires.*

(3) Section 34 presently reads:

*34 When an operator requires an estate or interest in land for the purposes of a power plant or a transmission line, the estate or interest may be acquired in land owned by the Crown or by any other person*

*(a) by negotiation with the owner,*

airspace over the property adjoining a public highway, street, lane, road allowance or other public place and no person is entitled to compensation for the aerial projection.

### **Municipal Government Act**

*2(1) The Municipal Government Act is amended by this section.*

*(2) Section 307 is amended by adding the following after subsection (2):*

*(3) Notwithstanding anything in this Act, any cross arm, power line, wire or other component that is attached to or rests on*

*(a) a structure forming part of a transmission line as defined in the *Hydro and Electric Energy Act*, or*

*(b) a power pole forming part of an electric distribution system as defined in the *Hydro and Electric Energy Act**

*may project into the airspace over the property adjoining a public highway, street, lane, road allowance or other public place and no person is entitled to compensation for the aerial projection.*

### **Water, Gas and Electric Companies Act**

*3(1) The Water, Gas and Electric Companies Act is amended by this section.*

*(2) Section 13 is amended by striking out “14” and substituting “14(1)”.*

*(3) Section 14 is renumbered as section 14(1) and the following is added after subsection (1):*

*(2) Notwithstanding anything in this Act, any cross arm, power line, wire or other component that is attached to or rests on a power pole forming part of an electric distribution system as defined in the *Hydro and Electric Energy Act* may project into the airspace over the property adjoining a public highway, street, lane, road allowance or other public place and no person is entitled to compensation for the aerial projection.*

*(b) by expropriation under the Expropriation Act, in the case of a power plant, or*

*(c) by proceedings under the Surface Rights Act, in the case of a transmission line.*

### **Municipal Government Act**

**2(1)** This section will amend chapter M-26 of the Revised Statutes of Alberta 1980.

**(2)** Section 307 presently reads:

*307(1) A municipality shall do as little damage as possible in the execution of the powers granted to it by this Part and shall make reasonable and adequate satisfaction to the owners, occupants or other persons interested in the land, waters, rights or privileges entered on, taken or used by the municipality or injuriously affected by the exercise of its powers.*

*(2) In the case of disagreement, the compensation or damage shall be ascertained by the Land Compensation Board.*

### **Water, Gas and Electric Companies Act**

**3(1)** This section will amend chapter W-4 of the Revised Statutes of Alberta 1980.

**(2)** Section 13 presently reads:

*13 A company may, subject to section 14, cut down any trees or brush that in its opinion obstruct the running of survey lines or endanger the conductors, wires or equipment of the company.*

**(3)** Section 14 presently reads:

*14 A company shall make satisfaction to the owners or proprietors of any building or other property or to the municipality or to the Minister, as the case may be, for all damages caused in or by the execution of all or any of the powers given it by this Act.*