

Regulations and other Acts

Gouvernement du Québec

O.C. 1149-2013, 6 November 2013

An Act respecting the Régie de l'énergie
(chapter R-6.01)

450-megawatt block of wind energy

Regulation respecting a 450-megawatt block of wind energy

WHEREAS, under subparagraph 2.1 of the first paragraph of section 112 of the Act respecting the Régie de l'énergie (chapter R-6.01), the Government may make regulations determining, for a particular source of electric power supply, the corresponding energy block and maximum price established for the purpose of fixing the cost of electric power referred to in section 52.2 or for the purposes of the supply plan provided for in section 72, or for the purposes of a tender solicitation by the electric power distributor under section 74.1 of the Act;

WHEREAS, under subparagraph 2.2 of the first paragraph of section 112 of the Act, the Government may make regulations determining the timeframe applicable to a public tender solicitation by the electric power distributor under section 74.1;

WHEREAS, under the fourth paragraph of section 112 of the Act, the Government may provide that only certain classes of suppliers may be invited to tender by the electric power distributor;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting a 450-megawatt block of wind energy was published in Part 2 of the Gazette officielle du Québec of 28 August 2013 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources:

THAT the Regulation respecting a 450-megawatt block of wind energy, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting a 450-megawatt block of wind energy

An Act respecting the Régie de l'énergie
(chapter R-6.01, s. 112, 1st par., subpars. 2.1 and 2.2,
and 4th par.)

1. For the purposes of fixing the cost of electric power referred to in section 52.2 of the Act respecting the Régie de l'énergie (chapter R-6.01), for the purposes of the supply plan provided for in section 72 of the Act and for the purposes of a tender solicitation by the electric power distributor provided for in section 74.1 of the Act, a block of wind energy must be produced in Québec on the basis of a target capacity of 450 megawatts, composed of 300 megawatts from projects in the Bas-Saint-Laurent and Gaspésie-Îles-de-la-Madeleine and 150 megawatts from projects from the whole of Québec linked to the Hydro-Québec main network, within the following timeframes:

— 100 megawatts not later than 1 December 2016;

— 350 megawatts not later than 1 December 2017.

The block referred to in the first paragraph is accompanied by a balancing and complementary power service in the form of a wind energy integration agreement taken by the electric power distributor with Hydro-Québec in its power production activities or with another Québec electric power supplier.

The price of the electric power supply for that power block, excluding the cost for transportation and for the balancing and complementary power service, may not exceed 9.0 ¢/kWh in 2014 dollars adjusted yearly to the consumer price index.

2. The electric power distributor must issue a tender solicitation for the block referred to in section 1 not later than 31 December 2013.

3. Participation in the tender solicitation of the electric power distributor is reserved for any electric power supplier who proves that

— the local environment holds a participation representing 50% or more of the project control;

—the electric power distributor’s project is recognized by a resolution adopted to that end by every regional county municipality and by every local municipality where the project takes place.

For the purposes of this section, “local environment” means one or more of the following constituents:

- a regional county municipality;
- a local municipality;
- a Native community;
- an intermunicipal board;
- a cooperative the majority of whose members have their domicile in the administrative region where the project takes place.

A “Native community” means either of the following constituents:

- one of the 11 Nations recognized by the National Assembly;
- a Native community recognized as such by one of the 11 Nations recognized by the National Assembly and the Gouvernement du Québec.

4. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.