

O.C. 925-2001, 9 August 2001

An Act respecting the Régie de l'énergie
(R.S.Q., c. R-6.01)

Tenor of a supply plan and the intervals at which it is to be submitted

Regulation respecting the tenor of a supply plan and the intervals at which it is to be submitted
WHEREAS under subparagraph 7 of the first paragraph of section 114 of the Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01), as amended by paragraph 3 of section 51 of the Act to amend the Act respecting the Régie l'énergie and other legislative provisions (2000, c. 22), the Régie may make regulations determining the form and tenor of a resource plan and the intervals at which such a plan is to be submitted ;

WHEREAS under section 115 of the Act respecting the Régie de l'énergie, regulations made under section 114 must be submitted to the Government for approval ;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 14 March 2001 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication ;

WHEREAS the Régie de l'énergie has submitted to the Government an amended regulation for approval ;

WHEREAS it is expedient to approve the Regulation respecting the tenor of a supply plan and the intervals at which it is to be submitted, with amendments ;

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

THAT the Regulation respecting the tenor of a supply plan and the intervals at which it is to be submitted, attached to this Order in Council, be approved with amendments.

JEAN ST-GELAIS,

Clerk of the Conseil exécutif

Regulation respecting the tenor of a supply plan and the intervals at which it is to be submitted

An Act respecting the Régie de l'énergie
(R.S.Q., c. R-6.01, s. 114, 1st par., subpar. 7, and 2nd par. ; 2000, c. 22, s. 51)

DIVISION I

TENOR

1. The supply plan that any holder of exclusive electric power or natural gas distribution rights must prepare and submit to the Régie de l'énergie for approval shall contain the following information :

- (1) the economic, demographic and energy-producing context in which the holder of rights operates ;
- (2) data on demand and supply covering at least 10 years in the case of electric power distributors and at least 3 years in the case of natural gas distributors, describing :

(a) the anticipated needs of their markets, specifying the contribution of energy efficiency programs still in

effect or committed to, broken down by consumption sector and by final use or by consumption characteristic, including in particular a sensitivity analysis and a comparison of the forecasts of the previous plan with actual data observed over the duration of the previous plan ;

(b) the characteristics of existing supply contracts, including in particular interruptible power or volume contracts, making it possible to establish their contribution towards meeting their markets' needs, including needs resulting from the application of criteria based on the safety of supplies and, in the case of a natural gas distributor, the characteristics related to the transportation and storage of natural gas ; and

(c) the characteristics of the additional supplies required to meet the needs of their markets, including needs resulting from the application of criteria based on the safety of supplies and, in the case of a natural gas distributor, the characteristics related to the transportation and storage of natural gas.

(3) the objectives that the holder of rights intends to achieve and the strategy he intends to apply, over the next 3 years in the case of electric power distributors and over the next year in the case of natural gas distributors, with respect to the additional supplies required and identified in subparagraph *c* of paragraph 2, and the characteristics of the contracts he intends to enter into, indicating, among other things,

(a) the various products, tools or measures contemplated ;

(b) the risks inherent in the sources of supply chosen ;

(c) the measures he intends to take to mitigate the impact of those risks ;

(d) if applicable, the measures he intends to take to have at his disposal an adequate transmission capacity.

(4) the progress and results achieved by the previous supply plan.

2. A supply plan shall include technical data, a description of the adopted hypotheses and applied methodologies, the reasons for choosing them and a definition of the technical terms used.

3. Municipal systems and the Coopérative régionale d'électricité de Saint-Jean-Baptiste de Rouville are exempted from the application of this Regulation if all their supplies planned for the next 3 years come from Hydro-Québec carrying on its distribution activities. Notwithstanding the foregoing, they remain subject to this Regulation if part of their supplies for the next 3 years does not come from Hydro-Québec carrying on its distribution activities. In that case, the data referred to in paragraph 2 of section 1 shall be submitted so as to cover at least 5 years.

DIVISION II

INTERVALS

4. The first supply plan shall be submitted no later than 1 November 2001 in the case of Hydro-Québec carrying on its distribution activities and, as for other distributors, no later than one year after 30 August 2001. The supply plan referred to in section 1 shall subsequently be submitted annually not later than 1 August in

the case of a natural gas distributor or in the case of an electric power distributor every 3 years no later than 1 November of the year during which it must be submitted.

5. Not later than 1 November of the first and second year following the filing of the supply plan referred to in section 1, electric power distributors shall submit a supply plan concerning the progress of the said plan and stating the results achieved and the sufficiency of their supplies on the basis of the criteria defined in subparagraphs *b* and *c* of paragraph 2 of section 1.

6. Within no more than 30 days after any major event disturbing the holder of rights' supplies, the latter shall submit a supply plan for approval describing the nature of the event, the related risks and the measures already taken or to be taken by the holder of rights to rectify the situation.

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