



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 42

(1999, chapter 27)

**An Act respecting the construction of
infrastructures and equipment by
Hydro-Québec on account of the ice
storm of 5 to 9 January 1998**

Introduced 6 May 1999
Passage in principle 2 June 1999
Passage 17 June 1999
Assented to 19 June 1999

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EXPLANATORY NOTE

The object of this bill is to give legal validity to the construction of infrastructures and equipment by Hydro-Québec on account of the ice storm of 5 to 9 January 1998.

Bill 42

AN ACT RESPECTING THE CONSTRUCTION OF INFRASTRUCTURES AND EQUIPMENT BY HYDRO-QUÉBEC ON ACCOUNT OF THE ICE STORM OF 5 TO 9 JANUARY 1998

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The object of this Act is to give legal validity to the construction by Hydro-Québec of infrastructures and equipment in the administrative regions of Estrie, Mauricie, Montérégie, Montréal, Outaouais and Québec on account of the ice storm of 5 to 9 January 1998.

2. The construction by Hydro-Québec, prior to 11 March 1999, of the infrastructures and equipment referred to in Part I of the Schedule is retroactively exempted from authorization by the Government under the Hydro-Québec Act (R.S.Q., chapter H-5).

The same applies to the acquisition by expropriation of the immovables and real rights necessary for the construction and operation of such infrastructures and equipment, as regards both government authorization under the above-mentioned Act and authorization under the Expropriation Act (R.S.Q., chapter E-24).

3. The operations referred to in Part I of the Schedule and operations accessory thereto, carried out prior to 11 March 1999, as well as the operation of the infrastructures and equipment constructed prior to that date, are retroactively exempted from the application of the Act respecting land use planning and development (R.S.Q., chapter A-19.1), the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., chapter P-41.1) and the Environment Quality Act (R.S.Q., chapter Q-2).

Past or future operations to preserve and secure such infrastructures and equipment as well as restoration operations required by property damaged by the construction of such infrastructures and equipment are also exempted from the application of those Acts.

4. The exemptions provided for in sections 2 and 3 are applicable, as regards both past and future operations, to the connection of the line referred to in paragraph 2 of Part I of the Schedule to the Des Cantons and Saint-Césaire Substations and, in an emergency, to the operation of that 230 kV line.

5. The construction of the proposed infrastructures and equipment referred to in Part II of the Schedule may be continued by Hydro-Québec, subject to the following provisions.

The Acts referred to in section 3 shall apply in respect of the proposed operations referred to in Part II of the Schedule and operations accessory thereto, as though they were part of projects separate from those that gave rise to the operations referred to in Part I of the Schedule.

The continuation of such construction operations is subject to authorization by the Government, which shall stand in lieu of the authorization required under subparagraph 1 of the first paragraph of section 73 of the Act respecting the Régie de l'énergie (1996, chapter 61).

6. To determine the rate base pursuant to subparagraph 1 of the first paragraph of section 49 of the Act respecting the Régie de l'énergie, the infrastructures and equipment referred to in Part I of the Schedule are deemed to be assets prudently acquired and useful for the operation of Hydro-Québec's power transmission system.

7. The location of the infrastructures and equipment referred to in Part I of the Schedule is shown on the maps reproduced in sessional paper number 284-19990506 tabled in the National Assembly on 6 May 1999.

8. No act to which Hydro-Québec is party is invalid for the sole reason that it relates to an operation which, in the absence of this Act, would be inconsistent with the objectives of a development plan or would contravene the provisions of a by-law of a regional county municipality, an Act referred to in section 2 or 3 or a statutory instrument under such an Act.

9. No proceedings against the Government or Hydro-Québec may be admitted or maintained on the grounds that operations referred to in Part I of the Schedule or operations accessory thereto, carried out prior to 11 March 1999, were carried out without the authorizations referred to in section 2 or in contravention of an Act referred to in section 3 or its statutory instruments or on the grounds that infrastructures or equipment referred to in Part I of the Schedule constructed prior to that date are being operated in contravention of such an Act or statutory instrument.

The same applies to past operations referred to in section 4.

10. This Act comes into force on 19 June 1999.

SCHEDULE

Part I

(Sections 2, 3 and 4)

1. 315 KV DUVERNAY - ANJOU LINE

Construction of 315 kV line between Duvernay Substation and point of connection to Duvernay - Langelier - Notre-Dame Line at Anjou.

Alteration of Duvernay Substation for connection of line.

2. DES CANTONS - MONTÉRÉGIE - HERTEL LINE (735 KV DES CANTONS - SAINT-CÉSAIRE SECTION)

Construction of 735 kV line between Des Cantons and Saint-Césaire Substations.

3. 230 KV OUTAOUAIS - MASSON LINE

Construction of temporary 315-230 kV substation.

315 kV connection (branch) of temporary substation to 315 kV Chénier - Vignan Line.

Construction of 230 kV double-circuit line between temporary 315-230 kV Outaouais Substation and Maclaren Company Masson Substation at Masson.

4. 315 KV AQUEDUC - ATWATER LINE

Construction of 315 kV double-circuit line between Aqueduc and Atwater Substations and operation at 120 kV.

5. 315 KV JACQUES-CARTIER - MAURICIE LINE

Construction of six towers for 315 kV line between Jacques-Cartier Substation and existing lines between Jacques-Cartier and Mauricie Substations.

Part II – Proposed infrastructures and equipment

(Section 5)

1. DES CANTONS - MONTÉRÉGIE - HERTEL LINE (735 KV HERTEL - SAINT-CÉSAIRE SECTION)

Construction of 735 kV Hertel - Saint-Césaire Line.

Alteration of Hertel Substation for connection and temporary operation at 230 kV.

Construction of Montérégie 735-120-230 kV transformer station.

Alteration of Des Cantons and Hertel Substations for connection and operation of 735 kV line.

2. OUTAOUAIS - ONTARIO BORDER LINE

Construction of Outaouais 315-230 kV converter bridge.

Connection of 315 kV Chénier - Vignan Line to Outaouais converter bridge.

Connection of 230 kV line to Outaouais Substation.

Construction of 230 kV line between the Maclaren Company Masson Substation and Ontario border.

3. GRAND-BRÛLÉ - VIGNAN LINE

Construction of 315 kV double-circuit line between Grand-Brûlé and Vignan Substations.

Alteration of Grand-Brûlé and Vignan Substations for connection of line.

4. DOWNTOWN MONTRÉAL LINE

Dismantling of 120 kV lines between Aqueduc and Atwater Substations.

Burying of 120 kV underground cable between Hadley and Atwater Substations.

Alteration of Hadley Substation for connection of cable.

Burying of 120 kV underground cable between Aqueduc - Atwater Line and Atwater Substation.

Alteration of Atwater Substation for connection of Hadley - Atwater and Aqueduc - Atwater Lines.

Alteration of Aqueduc and Viger Substations for connection of three-phase circuit of 315 kV Aqueduc - Atwater Line.

5. JACQUES-CARTIER - MAURICIE LINE

Alteration of seven substations in Québec and Mauricie regions.

Alterations for connection of line to Deschambault, Jacques-Cartier and Mauricie Substations.

Completion of construction of 315 kV line between Jacques-Cartier Substation and existing lines between Jacques-Cartier and Mauricie Substations.