

## Draft Regulations

### Draft Regulation

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

#### Energy produced by biomass cogeneration

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting energy produced by biomass cogeneration, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the energy block produced by biomass cogeneration for the purpose of fixing the cost of electric power and for the purposes of the supply plan and the tender solicitation by the electric power distributor. It also determines the percentage of biomass that must be used as fuel for that purpose, the time within which the electric power distributor is to solicit tenders for the energy block and the time limit for delivery of the electric power produced under the block. The draft Regulation replaces the Regulation respecting energy produced by cogeneration, made by Order in Council dated 1319-2003 dated 10 December 2003.

The draft Regulation will have no direct impact on small and medium-sized businesses. Interested enterprises in the field of cogeneration will be able to respond to the tender solicitation by the electric power distributor.

Further information on the draft Regulation may be obtained by contacting René Paquette, Director General, Electricity, Ministère des Ressources naturelles et de la Faune, 5700, 4<sup>e</sup> Avenue Ouest, bureau A 416, Québec (Québec) G1H 6R1; telephone: 418 627-6386, extension 8351; fax: 418 646-1878; e-mail: rene.paquette@mrf.gouv.qc.ca

Any interested person wishing to comment on the draft Regulation may submit written comments to Daniel Bienvenue, Associate Deputy Minister, Energy and Mines, Ministère des Ressources naturelles et de la Faune, 5700, 4<sup>e</sup> Avenue Ouest, bureau B 401, Québec (Québec) G1H 6R1, within the 45-day period.

CLAUDE BÉCHARD,  
*Minister of Natural Resources  
and Wildlife*

### Regulation respecting energy produced by biomass cogeneration

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

**1.** For the purposes of this Regulation, biomass means

(1) residual forest biomass consisting of bark, sawdust, shavings, trim ends, scraps, primary, secondary and de-inking sludge, cooking liquors from pulp and paper mills, and timber from silvicultural treatments or logging such as trunks, limbs, tree tops, short logs, slash and cull referred to in section 94 of the Forest Act (R.S.Q., c. F-4.1) and timber intended for or taken from Québec landfills;

(2) biodegradable residual materials rejected or not accepted following reclamation activities and intended for disposal in landfill sites or incinerators; and

(3) recovered biodegradable residual materials for which other reclamation methods are not technically feasible or in whose respect the costs associated with other reclamation methods are detrimental to the competitiveness of the promoter or the operator.

**2.** The energy block produced in Québec by biomass cogeneration facilities corresponds to a total quantity of 100 megawatts, for the purpose of fixing the cost of the electric power referred to in section 52.2 of the Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01), or for the purposes of the supply plan referred to in section 72 of the Act and of the tender solicitation from the electric power distributor under section 74.1 of the Act.

The biomass used in the cogeneration facilities to which the first paragraph refers must correspond to 75% of the fuel used by the facilities to produce electric power.

**3.** The electric power distributor must solicit tenders not later than 30 June 2008 for the quantity referred to in section 2.

**4.** Biomass cogeneration projects subsequent to the tender solicitation must be carried out so that the deliveries begin not later than 1 December 2011.

**5.** This Regulation replaces the Regulation respecting energy produced by cogeneration, made by Order in Council 1319-2003 dated 10 December 2003.

**6.** 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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