

Regulations and other acts

Gouvernement du Québec

O.C. 9-2009, 7 January 2009

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

Energy produced by biomass cogeneration — Amendment

Regulation to amend the Regulation respecting energy produced by biomass cogeneration

WHEREAS, under subparagraph 2.2 of the first paragraph of section 112 of the Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01), the Government may make regulations determining the timeframe applicable to a public tender solicitation by the electric power distributor under section 74.1 of the Act;

WHEREAS the Government made the Regulation respecting energy produced by biomass cogeneration by Order in Council 916-2008 dated 24 September 2008;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force must be published with the Regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force of the Regulation to amend the Regulation respecting energy produced by biomass cogeneration:

– it is appropriate to extend the timeframe granted to the electric power distributor to solicit tenders, in particular to allow the electric power distributor to adequately prepare the tender documentation;

– it is appropriate to postpone the deadline to maximize the quality of bids that the electric power distributor may receive for that tender solicitation;

– the postponement of the deadline will also allow the Régie de l'énergie to exercise its power of approval in respect of such a tender solicitation in accordance with section 74.1 of the Act respecting the Régie de l'énergie;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting energy produced by biomass cogeneration, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the 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., subpar. 2.2)

1. The Regulation respecting energy produced by biomass cogeneration is amended in section 3 by replacing “not later than 90 days following the date of its publication in the *Gazette officielle du Québec*” by “before 15 April 2009”.

2. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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* The Regulation respecting energy produced by biomass cogeneration, made by Order in Council 916-2008 dated 24 September 2008 (2008, *G.O.* 2, 4875), has not been amended since it was made.