

## Regulations and other acts

Gouvernement du Québec

### O.C. 179-2009, 4 March 2009

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

#### **Wind energy — 250 MW block from community projects — Amendment**

Regulation to amend the Regulation respecting a 250 MW block of wind energy from community projects

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 a 250 MW block of wind energy from community projects by Order in Council 1045-2008 dated 29 October 2008;

WHEREAS, under section 2 of that Regulation, the electric power distributor must solicit public tenders for each portion determined under section 1 not later than 90 days after the coming into force of that Regulation;

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, on 9 February 2009, Hydro-Québec filed with the Régie de l'énergie an application for approval of the weighting grid for non-price criteria for calls for tenders to purchase wind energy from community and Aboriginal projects;

WHEREAS, in the opinion of the Government, 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 a 250 MW block of wind energy from community projects:

— it is advisable to extend the time granted to electric power distributors to issue a call for tenders so that stakeholders have more time to take into account the potential impact of the current economic and financial crisis on the various parameters used to develop wind energy projects, in particular the availability of financing, interest rates and wind turbine costs;

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 a 250 MW block of wind energy from community projects, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### **Regulation to amend the Regulation respecting a 250 MW block of wind energy from community projects\***

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 a 250 MW block of wind energy from community projects is amended in section 2 by replacing “not later than 90 days after the coming into force of this Regulation” by “before 1 May 2009”.

\* The Regulation respecting a 250 MW block of wind energy from community projects, made by Order in Council 1045-2008 dated 29 October 2008 (2008, *G.O.* 2, 5100), has not been amended since it was made.

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

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Gouvernement du Québec

## **O.C. 180-2009**, 4 March 2009

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

### **Wind energy**

#### **— 250 MW block from Aboriginal projects**

#### **— Amendment**

Regulation to amend the Regulation respecting a 250 MW block of wind energy from Aboriginal projects

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 a 250 MW block of wind energy from Aboriginal projects by Order in Council 1043-2008 dated 29 October 2008;

WHEREAS, under section 2 of that Regulation, the electric power distributor must solicit public tenders for each portion determined under section 1 not later than 90 days after the coming into force of that Regulation;

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, on 9 February 2009, Hydro-Québec filed with the Régie de l'énergie an application for approval of the weighting grid for non-price criteria for calls for tenders to purchase wind energy from community and Aboriginal projects;

WHEREAS, in the opinion of the Government, 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 a 250 MW block of wind energy from Aboriginal projects:

— it is advisable to extend the time granted to electric power distributors to issue a call for tenders so that stakeholders have more time to take into account the potential impact of the current economic and financial crisis on the various parameters used to develop wind energy projects, in particular the availability of financing, interest rates and wind turbine costs;

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 a 250 MW block of wind energy from Aboriginal projects, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## **Regulation to amend the Regulation respecting a 250 MW block of wind energy from Aboriginal projects\***

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 a 250 MW block of wind energy from Aboriginal projects is amended in section 2 by replacing “not later than 90 days after the coming into force of this Regulation” by “before 1 May 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 a 250 MW block of wind energy from Aboriginal projects, made by Order in Council 1043-2008 dated 29 October 2008 (2008, *G.O.* 2, 5099), has not been amended since it was made.