

WHEREAS that situation could have a negative impact on the number of projects submitted and would hamper the objectives of the call for tenders;

WHEREAS it is expedient to further amend the Regulation respecting a 250 MW block of wind energy from community projects to postpone the beginning of power deliveries from 1 December 2012 to 1 December 2013 and to adjust accordingly the delivery dates for the other blocks of energy until 2015;

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 Hydro-Québec's call for tenders provides that tenders are to be submitted by 6 July 2010;

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 know the basic parameters of the call for tenders before the closing date for the submission of tenders, namely 6 July 2010, so that tenders take into account the new power delivery deadlines and stakeholders have more flexibility in developing community projects for the benefit of the regions;

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 2.1)

1. The Regulation respecting a 250 MW block of wind energy from community projects is amended in section 1 by replacing the first paragraph by the following:

“For the purpose of fixing the cost of electric power referred to in section 52.2 of the Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01), and for the purposes of the supply plan provided for in section 72 of the Act and the tender solicitation by the electric power distributor under section 74.1 of the Act, a block of wind energy must be produced in Québec from a target capacity of 250 megawatts from community projects connected to Hydro-Québec's main network, within the following timeframe:

- 50 megawatts, not later than 1 December 2013;
- 100 megawatts, not later than 1 December 2014;
- 100 megawatts, not later than 1 December 2015.”.

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

9842

Gouvernement du Québec

O.C. 469-2010, 2 June 2010

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 2.1 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, for a particular source of electric power supply, the corresponding energy block and maximum price established for the purpose of fixing the cost of electric power referred to in section 52.2 or for the purposes of the supply plan provided for in section 72, or for the purposes of a 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 the Government amended the Regulation respecting a 250 MW block of wind energy from Aboriginal projects by Orders in Council 180-2009 dated 4 March 2009 and 520-2009 dated 29 April 2009;

WHEREAS the Government determined, by that Regulation, that the produced capacities in question must be connected to Hydro-Québec's main network within the following timeframe:

- 50 megawatts, not later than 1 December 2012;
- 100 megawatts, not later than 1 December 2013;
- 100 megawatts, not later than 1 December 2014;

WHEREAS the time between the moment when Hydro-Québec will have to announce the results of the call for tenders and the ordered beginning of power deliveries is not sufficient to enable the selected tenderers to finalize their financing agreements and to go through all the environmental process and obtain governmental authorizations before the projects are put into service;

WHEREAS that situation could have a negative impact on the number of projects submitted and would hamper the objectives of the call for tenders;

WHEREAS it is expedient to further amend the Regulation respecting a 250 MW block of wind energy from Aboriginal projects to postpone the beginning of power deliveries from 1 December 2012 to 1 December 2013 and to adjust accordingly the delivery dates for the other blocks of energy until 2015;

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 Hydro-Québec's call for tenders provides that tenders are to be submitted by 6 July 2010;

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 know the basic parameters of the call for tenders before the closing date for the submission of tenders, namely 6 July 2010, so that tenders take into account the new power delivery deadlines and stakeholders have more flexibility in developing Aboriginal projects for the benefit of the communities;

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

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