

1981

# c 41 Power Corporation Amendment Act, 1981 (No. 2)

Ontario

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## CHAPTER 41

## An Act to amend the Power Corporation Act

*Assented to October 30th, 1981*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 75 of the *Power Corporation Act*, being chapter 384 of the Revised Statutes of Ontario, 1980, as amended by the Statutes of Ontario, 1981, chapter 16, section 7, is further amended by adding thereto the following clause: s. 75,  
amended

(ab) the difference in the revenue of the Corporation mentioned in section 90a.

2. The said Act is amended by adding thereto the following section: s. 90a,  
enacted

90a.—(1) In this section, Interpre-  
tation

- (a) “municipal commission” means municipal corporation or municipal commission or the trustees of a police village supplying power that is supplied to it or them by the Corporation;
- (b) “municipal residential premises” means premises that are supplied individually with power by a municipal commission and that the Corporation decides are used for residential purposes on a year-round basis;
- (c) “rural rate differential” means the amount by which the weighted average rural bill exceeds the weighted average municipal bill, expressed as a percentage of the weighted average municipal bill;
- (d) “rural residential premises” means premises that are supplied, either individually or in conjunction with a farm, with power by the Corporation under this Part and that the Corporation decides are used for residential purposes on a year-round basis;

(e) "weighted average municipal bill" means the amount obtained by,

- (i) multiplying the amount payable to each municipal commission for the first 1,000 kilowatt hours of power consumed per month in a municipal residential premises by the number of municipal residential premises supplied with power by the municipal commission,
- (ii) adding together the products obtained in respect of all municipal commissions in accordance with subclause (i), and
- (iii) dividing the sum obtained in accordance with subclause (ii) by the total number of municipal residential premises supplied with power by municipal commissions;

(f) "weighted average rural bill" means the amount obtained by,

- (i) multiplying the amount payable under each rate class of the Corporation that applies to rural residential premises for the first 1,000 kilowatt hours of power consumed per month by the number of rural residential premises within the class,
- (ii) adding together the products obtained in respect of all the classes in accordance with subclause (i), and
- (iii) dividing the sum obtained in accordance with subclause (ii) by the total number of rural residential premises.

Rural  
rate  
differential

(2) The Corporation shall forecast the rural rate differential each year for the next following year.

Discounts

(3) Where the Corporation forecasts a rural rate differential that exceeds 15 per cent, the Corporation shall fix discounts from the rates to be charged for power consumed each month in rural residential premises in the next following year.

Calculation

(4) The discounts shall be calculated to result in a forecast rural rate differential of 15 per cent on a yearly basis.

Recovery of  
difference  
in revenue

(5) The Corporation may increase the price payable for power by municipal commissions and any of the other persons supplied

with power by the Corporation in order to recover any difference in the revenue of the Corporation that is forecast to occur as a result of the application of subsections (2) to (4).

(6) Subsection (5) applies notwithstanding any contract entered into between the Corporation and a municipal commission or other person. Effect of contract

(7) The Corporation may decide, for the purposes of this section, whether or not premises are used for residential purposes on a year-round basis and need not hold or afford to any person an opportunity for a hearing before so deciding. Use of premises

(8) No proceedings shall be commenced in any court or tribunal to question or review a forecast or a decision respecting the use of premises referred to in this section that is made in good faith by the Corporation but this does not apply to a proceeding under section 37 of the *Ontario Energy Board Act*. Review of forecast or decision

(9) Section 37 of the *Ontario Energy Board Act* does not apply in respect of rates fixed or altered in accordance with this section for the year 1982. Application of R.S.O. 1980, c. 332

- 3.** This Act comes into force on the day it receives Royal Assent. Commencement
- 4.** The short title of this Act is the *Power Corporation Amendment Act, 1981 (No. 2)*. Short title

