

1981

## c 16 Power Corporation Amendment Act, 1981

Ontario

This Bill was passed by the Legislature after the the 31st day of December, 1980 and before the Revised Statutes of Ontario, 1980 came into force. It is shown here in the form in which it was passed, before its revision by the commissioners under the authority of section 4 of The Statutes Revision Act, 1979. It is published in its revised form as chapter 16 in the public acts section of this volume.

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## BILL 86

1981

(Chapter 16)

## An Act to amend The Power Corporation Act

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

- 1.—(1) Section 1 of *The Power Corporation Act*, being chapter 354 of the Revised Statutes of Ontario, 1970, as amended by the Statutes of Ontario, 1973, chapter 57, section 3, is further amended by adding thereto the following clauses: s. 1, amended
- (cc) “energy conservation program” means an energy conservation program under sections 58a and 58b;
- (cd) “heat energy” means energy that is conveyed in the medium of steam, hot water or hot air and that is produced for sale.
- (2) Clause *f* of the said section 1 is repealed and the following substituted therefor: s. 1 (f), re-enacted
- (f) “power” means electrical power and includes electrical energy.
2. Section 17 of the said Act is amended by adding thereto the following clause: s. 17, amended
- (ba) such sums as are appropriated by the Corporation for sinking fund purposes out of the revenues received from the sale of heat energy.
3. The said Act is amended by adding thereto the following sections: ss. 58a, 58b, enacted
- 58a.—(1) The purposes and business of the Corporation include the provision of energy conservation programs. Energy conservation program
- (2) The purpose of an energy conservation program is to encourage the safe and efficient use and the conservation of all forms of energy. Purpose of program
- (3) An energy conservation program may provide information, advice and inspection services in respect of the use of all Content of program

forms of energy and may include, but is not limited to, the following:

1. The safe use of electrical energy.
2. The improvement of a system for the use of electrical energy in a building.
3. The conversion of a space heating system to one based in whole or in part on the use of electrical energy.
4. The improvement of the capacity of a building to retain heat.

Additional services

(4) An energy conservation program may provide any other service related to the purposes of the program that is considered necessary or advisable from time to time.

Loans for energy conservation

58*b*.—(1) As part of an energy conservation program, the Corporation may loan such money as the Corporation determines in order to assist in the doing of work or the acquisition and installation of equipment and material in accordance with the energy conservation program.

Terms and conditions

(2) A loan under this section may be made upon such terms and conditions, including terms and conditions in respect of certification of work, security, repayment, costs of recovery and interest, as the Corporation determines.

Conversion of heating system

(3) The Corporation shall not loan money under this section to assist in the conversion of a space heating system to a system other than one based in whole or in part on the use of electrical energy.

ss. 58*c*-58*f*, enacted

4. The said Act is further amended by adding thereto the following sections:

Heat energy

58*c*. The purposes and business of the Corporation include the production, sale, supply and delivery of heat energy.

Production, sale, supply and delivery of heat energy

58*d*. The Corporation, with the approval of the Lieutenant Governor in Council, may,

- (a) use any of its works to produce heat energy, by the use of any fuel, whether alone or in addition to or in lieu of the use of the works to produce power;
- (b) acquire, construct, maintain and operate equipment, facilities and works for the production, supply and delivery of heat energy; and

(c) sell, supply and deliver heat energy to a municipal corporation, municipal commission or any other person.

58e. The Corporation may acquire lands by purchase, lease, expropriation or other means for the purpose of carrying out an act approved by the Lieutenant Governor in Council under section 58d. Acquisition of lands re heat energy

58f. Section 73 applies with necessary modifications in respect of the sale, supply and delivery of heat energy and, for the purpose, heat energy shall be deemed to be power. Application of s. 73

5. Subsection 4 of section 59 of the said Act is amended by inserting after "power" in the fifth line "or of any source of energy". s. 59 (4), amended

6. The said Act is further amended by adding thereto the following section: s. 74a, enacted

74a.—(1) Where moneys are owing to the Corporation in respect of a loan made to the owner of real property as part of an energy conservation program, the Corporation may register in the proper land registry office a certificate setting out, Registration of certificate as to unpaid energy conservation loan

(a) the amount owing in respect of the loan, including the rate of interest thereon;

(b) the name of the owner of the real property;

(c) a description of the real property sufficient for registration; and

(d) that the certificate is registered under this section.

(2) Upon the registration of a certificate under subsection 1, the amount owing and interest at the rate set out in the certificate are a lien and charge upon the real property. Lien

(3) Where a certificate has been registered under subsection 1 and the moneys owing to the Corporation, as set out in the certificate, are not paid in accordance with the terms and conditions of the loan, the Corporation may transmit to the clerk of the municipality in which the real property is situate a statement setting out the information contained in the certificate and the registration number of the certificate. Statement to clerk of municipality

(4) Upon receipt of the statement, the clerk of the municipality shall enter the amount in the collector's roll and the amount shall be collected by the same procedure as municipal taxes on land, and upon collection the amount and the interest collected thereon shall be paid over to the Corporation. Collection

Sale of  
realty

(5) The duty and power under subsection 4 to collect the amount entered in the collector's roll includes, without limiting any other power, the power to sell the real property and to collect interest and costs by the same procedure as for arrears of taxes.

Certificate  
as to  
payment

(6) Upon repayment of the moneys owing to the Corporation, including interest, as set out in the certificate, the Corporation upon request shall transmit to the owner of the real property a certificate sufficient for registration showing the repayment.

Discharge  
of lien

(7) The lien is discharged by the registration of the certificate of the Corporation showing the repayment of the moneys owing to the Corporation.

Termination  
of supply  
of power

(8) The Corporation shall not terminate the supply of power to a customer for the purpose or as a means of enforcing repayment of a loan made as part of an energy conservation program.

s. 76,  
amended

7. Section 76 of the said Act is amended by adding thereto the following clause:

(aa) the cost of an energy conservation program.

s. 96a,  
enacted

8. The said Act is further amended by adding thereto the following section:

Energy  
conservation  
program  
is current  
operating  
cost

96a. The cost of an energy conservation program to a municipal corporation or municipal commission shall be deemed to be a current operating expense of the municipal corporation or municipal commission.

#### COMPLEMENTARY AMENDMENT

R.S.O. 1970,  
c. 390, s. 18a,  
enacted

9. *The Public Utilities Act*, being chapter 390 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section:

Interpre-  
tation  
R.S.O. 1970,  
c. 354

18a.—(1) In this section, "energy conservation program" has the same meaning as in *The Power Corporation Act*.

Energy  
conservation  
program

(2) The corporation of a municipality, as principal or as agent for Ontario Hydro, may provide, arrange for or participate in the provision of an energy conservation program in the municipality.

Limitation

(3) Subsection 2 does not apply to authorize the corporation of a municipality to loan money out of its own funds as part of an energy conservation program.

Commence-  
ment

10. This Act comes into force on the day it receives Royal Assent.

11. The short title of this Act is *The Power Corporation Amendment Act, 1981*. Short title

