



CHAPTER 10

An Act respecting electricity rates

[Assented to, the 20th of April, 1934]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. This act may be cited as the *Electricity Rates Act*. Short title.

2. In this act, unless the context indicates a different Interpretation: meaning:

1. The word "Commission" designates the Quebec "Commission";
Public Service Commission, constituted in conformity with the provisions of section 9 of this act;

2. The word "person" includes any municipal or other "Person";
corporation, a firm and an association of persons;

3. The word "service" designates any system for pro-"Service";
ducing, transmitting, delivering or selling electricity for light, heat, energy or power purposes;

4. The words "public service" mean any corporation "Public
other than a municipal corporation, or any firm, person service";
or association of persons, their tenants, trustees, liquidators or receivers, who own, operate, administer or control a service within the meaning of sub-paragraph 3 of this section.

3. When any person finds that the rates, tolls, rentals and charges, or any of them, demanded, charged or collected, or that the classifications made or observed by any public service, for its service or in connection therewith, or that the rules, regulations, requirements, practices, customs or contracts, or any of them, affecting such rates, tolls, rentals, charges or classifications, or any of them, If rates, etc., found unjust, etc.

are unjust, unreasonable, or unduly discriminatory, or in any way in violation of any provision of law, he may:

a. Bring complaint before the Quebec Public Service Commission; and

b. Designate a person to act as associate-member of such Commission.

Transmission, etc., of complaint.

4. The person availing himself of the provisions of section 3 must transmit his complaint to the secretary of the Quebec Public Service Commission, and attach thereto a notice setting forth the name in full, occupation and address of the person whom he designates to form part of the said Quebec Public Service Commission.

Service of copy of same.

5. Upon receipt of such complaint and notice, the secretary of the Quebec Public Service Commission must cause a copy of the complaint and of the notice to be served upon the public service concerned.

Right conferred by service.

6. The service contemplated by section 5 entitles the public service receiving same to designate a person to form part of the Quebec Public Service Commission as an associate-member.

How right acquired.

Such right is acquired by the public service, only if, within fifteen days from the date of the said service, it acquaints the secretary of the Quebec Public Service Commission with the name in full, occupation and address of the person so designated.

Persons not eligible as associate-members.

7. No person may be designated under this act to be associated as a member of the Quebec Public Service Commission, who is:

1. Not domiciled in the Province of Quebec;

2. A minor;

3. Holding an office or employment inconsistent with the performance of the duties hereby conferred, and who, directly or indirectly:

a. Possesses, for himself, any shares, bonds, debentures or other securities of a public service;

b. Has an interest in any device, appliance, machine, patented process or article, or in any part thereof, which may be used for the purposes of the business of a public service;

4. Not a British subject.

Remuneration, etc., of associate-members.

8. The remuneration and travelling expenses of a person associated as a member of the Quebec Public Service Commission, according to the provisions of this act, shall be

borne by the person who designated him under the provisions of section 3 or by the public service which designated him under section 6.

9. The hearing of a complaint transmitted in conformity with the provisions of section 4, shall be held before the Quebec Public Service Commission, composed:

1. Of the members of such Commission appointed in accordance with the provisions of section 4 of the Public Service Commission Act (Revised Statutes, 1925, chapter 17); and

2. Of the person designated in conformity with section 3 of this act; and

3. Of the person designated by the public service concerned, in accordance with the provisions of section 6, if the right conferred by the said section 6 has been exercised by such public service.

The president and vice-president of the Quebec Public Service Commission, appointed under section 6 of the Public Service Commission Act, shall be, respectively, president and vice-president of the Commission.

10. Three members shall constitute a quorum of the Commission and the Commission shall decide by the majority of votes, and, if there be a tie, the president shall have a casting-vote. However, the opinion of the president, upon any question which in the opinion of the commissioners is a question of law, shall prevail.

11. In the event of the death, resignation, or inability to act on account of sickness, of any one of the persons designated in conformity with sections 3 and 6, the Commission shall not be dissolved thereby, and the person or the public service who or which designated the person so deceased or incapacitated may appoint someone to act in his stead.

12. The Commission, as regards the hearing and examining of a complaint made under this act and as regards the decision to be rendered thereon, shall have all the powers possessed by the Quebec Public Service Commission respecting matters which may be submitted to it under the Public Service Commission Act.

13. Without restricting the powers attributed to such Commission by the foregoing section 12, it may determine what rates, tolls, rentals, charges, regulations, rules, clas-

sifications, requirements, practices, customs or contracts may be demanded, charged, collected, used or observed by the public service concerned, for its services.

Enforcing
of rates, etc.,
fixed.

14. After the date fixed by the order of the Commission for the enforcement of such rates, tolls, rentals and charges, it shall be unlawful for the public service concerned to ask for, charge or collect others than those so fixed; and all regulations, rules, classifications, requirements, practices, customs or contracts which shall have been disapproved must no longer be employed or observed.

Provisions,
etc., deemed
part of act.

15. The provisions of sections 15, 16, 21, 32, 33, 33a and 38 to 64, inclusive, of the Public Service Commission Act (Revised Statutes, 1925, chapter 17), and the rules of practice established under section 37 of the said Public Service Commission Act, shall be deemed to form part of this act.

Optional
bringing of
complaint.

16. After the coming into force of this act, every person who wishes to make a complaint before the Quebec Public Service Commission on any of the matters contemplated by section 3, may, at his option, bring a complaint under the said Public Service Commission Act, or under this act.

Indication
in petition.

When such person lodges such complaint, he must indicate, in his petition to the Quebec Public Service Commission, under which act he wishes the hearing of his complaint to be had.

Coming into
force.

17. This act shall come into force on the day of its sanction.