



CHAPTER 100

An Act to amend the charter of New Brunswick Electric Power Commission Company

[Assented to, the 1st of April, 1927]

WHEREAS the New Brunswick Electric Power Commission Company has, by its petition, represented: Preamble.

That it was incorporated by the act 15 George V, chapter 117, for the purpose of regulating the flow of the waters in the Madawaska and St. Francis rivers, constructing certain dams for the storage of water, and other incidental powers required for the purpose of carrying on the development of the water-power at Grand Falls, in the Province of New Brunswick;

That arrangements have now been made whereby the development of the water-power at Grand Falls is to be undertaken and carried out by the Saint John River Power Company, a company incorporated by the act 16 George V, chapter 45, of the acts of the Legislature of the Province of New Brunswick;

That the Lieutenant-Governor in Council of New Brunswick and the New Brunswick Electric Power Commission, with the approval of the said Lieutenant-Governor in Council, were, by the terms of the said act, authorized to transfer or otherwise render available to the Saint John River Power Company all property, rights, powers and privileges vested in the Province or in the New Brunswick Electric Power Commission, which the company might deem necessary or useful for or in connection with the development and generation of hydro-electric power or energy at Grand Falls and pondage and storage thereof in New Brunswick or beyond its borders, and, without limitation of the generality of the foregoing, all rights, powers and privileges of the Province and of the New Brunswick Electric Power Commission under or by virtue of the act 15 George V, chapter 117, incorporating the company peti-

tioner, and any and all other property and rights acquired for the development of storage in the Province of Quebec;

That in order to make fully effective such change of enjoyment of the benefits of the act incorporating the petitioner and to render the same effective for the purpose intended, and to change the name of the company, it is necessary that the said act be amended;

Whereas the Lieutenant-Governor in Council of the Province of New Brunswick and the New Brunswick Electric Power Commission have duly assented to the present application; and

Whereas it is expedient that the prayer of the said petition be granted;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Change of
name.

1. The corporate name of the company is hereby changed and shall in future be "Saint John River Storage Company".

15 Geo. V, c.
117, s. 2, re-
placed.

2. Section 2 of the act 15 George V, chapter 117, is hereby replaced by the following:

Chief place
of business.

"2. The chief place of business of the company shall be at the city of Montreal in the Province of Quebec."

15 Geo. V, c.
117, s. 3, re-
placed.

3. Section 3 of the said act is hereby replaced by the following:

Capital
stock.

"3. The capital stock of the company shall be five hundred thousand dollars, divided into five thousand shares of a par value of one hundred dollars each."

15 Geo. V, c.
117, s. 4, re-
placed.

4. Section 4 of the said act is replaced by the following:

First mem-
bers, etc.

"4. The persons named in section 1 of this act shall be the first members and directors, and their successors in office at the date of this amendment shall remain in office as such until the election of their successors in accordance with the provisions of the Quebec Companies' Act."

15 Geo. V, c.
117, s. 7, re-
placed.

5. Section 7 of the said act is replaced by the following:

Arrange-
ments for
disposal of
certain
power.

"7. Before delivering any portion of the power developed as a result of the works provided for by this act the company hereby incorporated shall make the necessary arrangements with the Saint John River Power Company to place and agree to place at the disposal of the Lieutenant-Governor in Council of the Province of Quebec, at a place

on the boundary line determined by the Lieutenant-Governor in Council of the Province of Quebec, a permanent quantity of 5,000 H. P., which shall remain at his disposal on the conditions hereinafter set forth, and give notice thereof to the said Lieutenant-Governor in Council.

The Lieutenant-Governor in Council of the Province of Quebec may authorize any person, municipality or company to utilize all or part of such electric power. Within three years from the date of a notice given to the Government of the Province of Quebec by the company hereby incorporated that it is prepared to supply such power, the said persons, municipalities or companies shall notify the company that they are prepared to receive the quantity mentioned in the authorization, and the company shall then deliver to them such quantity, at the place on the provincial frontier determined, provided, however, that neither the Company nor the Saint John River Power Company shall be bound to build any transmission line for the delivery of any such power until the persons, municipalities or companies requiring same shall have furnished the security determined by the Lieutenant-Governor in Council of the Province of Quebec, establishing that they are prepared to utilize such power and to pay the cost thereof.

The said electric power shall be sold for the same price, plus the cost of transmission or such proportion of the cost of transmission necessitated by the quantity of power applied for, and on the same terms and conditions, except as to the period for the application, notice and delivery, as those provided for in the agreement entered into between the Saint John River Power Company and the New Brunswick Electric Power Commission (reproduced as Schedule D to the Act of the Province of New Brunswick, 16 George V, Chapter 45)."

6. Section 9 of the said act is replaced by the following:

9. To assure the construction and maintenance of the works and the acquisition of the immoveables coming within the scope of this act, the company is authorized to enter into agreements from time to time with the Saint John River Power Company."

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