

between the filing of the inscription in the Court of King's Bench and the rendering of judgment by said court, shall not be reckoned as part of said four months."

8. Article 560 of the said statutes is amended by inserting *Id.*, 560, am. after the word "them" in the second line, the words: "or the judges of the Court of King's Bench or the majority of them."

9. This act shall not affect pending cases.

Saving clause.

10. Cases in appeal under this act shall have precedence over all other cases.

Precedence of appeals.

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

Coming into force.

C H A P . 1 4

An act to amend the Revised Statutes, 1909, respecting the Quebec Public Utilities' Commission.

[Assented to 24th March, 1911]

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

1. Article 718 of the Revised Statutes, 1909, is amended by replacing paragraph *b.* thereof by the following:

R. S. Q., 718, am.

"*b.* The words "Public Utility" mean every corporation other than a municipal corporation, firm, person, or association of persons, the business and operations whereof are subject to the legislative authority of this Province, their lessees, trustees, liquidators or receivers appointed by any court, that now or hereafter own, operate, manage or control any system, works, plant or equipment for the conveyance of telegraph or telephone messages or for the conveyance of passengers or goods over a railway, street railway or tramway, or for the production, transmission, delivery or furnishing of heat, light, water or power, either directly or indirectly to or for the public."

Definition of public utility.

2. Article 740 of the said statutes is amended:

Id., 740, am.

a. By replacing paragraph *d* by the following:

"*d.* Whenever it is made to appear to the Commission, upon the complaint of any public utility, or of any person or persons, having an interest, present or contingent, in the matter respect-

Disputes as to tolls, &c., of public utilities.

ing which the complaint is made, that there is reason to believe that the tolls demanded by any public utility exceed what is just and reasonable, having regard to the nature and quality of the service rendered or of the commodity supplied; and in such case it may proceed to hold such investigation as it sees fit into all matters relating to the nature and quality of the service or the commodity in question, or to the performance of such service and the tolls or charges demanded therefor; and may make such order respecting the improvement of the commodities or services and as to the tolls or charges demanded, as seems to it to be just and reasonable, and may disallow or change, as it thinks reasonable, any such tolls or charges as, in its opinion, unjustly discriminate between different persons or different municipalities; the whole, however, subject to the provisions of any contract existing between such public utility and a municipality at the time such complaint is made, and subject as to electric railway companies, to articles 6615 and 6616 ” :

b. By adding thereto the following paragraph :

Extension
of service of
public uti-
lities, &c.

“ *h.* Upon the complaint of any municipality that a public utility doing business in such municipality fails to extend its services to any part of such municipality, and after hearing the parties and their witnesses, and making such inquiry into such matter as it sees fit, may order the extension of such service and the conditions under which the same shall be done, including the cost of all necessary works, which it may apportion between the public utility and the municipality in any manner it deems equitable.”

Id., 741a,
741b, added.

3. The following articles are inserted in the said statutes after article 741 :

Complaints,
&c., of mu-
nicipalities.

“ **741a.** Every municipal council, whenever it deems that the interests of the public in a municipality or in a considerable part of a municipality are sufficiently concerned, may, by resolution, authorize the municipality to become a complainant or intervenant in any matter within the jurisdiction of the Commission ; and for that purpose, the council is authorized to take any steps, and to incur any expense and to take any proceedings necessary to submit the question in dispute to the decision of the Commission, and if necessary to authorise the municipality to become a party to an appeal therefrom.

Revision,
&c., of
orders of
Commission.

“ **741b.** Upon application made for that purpose, the Commissioners may, after hearing the parties and their witnesses, revise, change or annul a decision, order or rule, previously given or made.”

Id., 742,
repl.

4. Article 742 of the said statutes is replaced by the following :

" **742.** The Commission shall have a general supervision Supervision. over all public utilities subject to the legislative authority by Quebec of the Province, and may make such orders regarding equip- Public Uti- ment, applicances, safety devices, extension of works or systems, lities Com- reporting, and other matters, as are necessary for the safety mission. or convenience of the public or for the proper carrying out of any contract, charter or franchise involving the use of public property or rights.

The Commission shall conduct all inquiries necessary for Inquiries by the obtaining of complete information as to the manner in it. which public utilities comply with the law, or as to any other matter or thing within the jurisdiction of the Commission. "

5. Article 745 of the said statutes is amended : Id., 745, am.

a. By inserting after the word " Attorney-General " in the first line, the words " a municipality " ;

b. By striking out the second paragraph.

6. The said statutes are amended by inserting the follow- Id., 761a ing article after article 761 : added.

" **761a.** No order involving any outlay, loss or deprivation Notice, &c., to any public utility, municipality or person, shall be made in certain without due notice and full opportunity to all parties concerned cases. to make proof and be heard at a public sitting of the Commission, except in case of urgency and in such case as soon as practicable thereafter. "

7. The said statutes are amended by inserting the follow- Id., 762a, ing article after article 762 : added.

" **762a.** A substantial compliance with the requirements of Effect of this section shall be sufficient to give effect to all the rules, technical orders, acts and regulations of the Commission, and shall not be omissions. declared inoperative, illegal or void for any omission of a technical nature in respect thereto. "

8. The said statutes are amended by inserting the following Id. 763a article after article 763 : added.

" **763a.** The delay to appeal shall begin to run from the Commence- day on which the decision of the Commission has been served ment of upon the party or upon his attorney. " delay to appeal.

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