

[Unofficial translation]

Government of Quebec

Order in Council 353-2003, March 5, 2003

RESPECTING the economic, social and environmental concerns indicated to the Régie de l'énergie with regard to wind energy and biomass energy

WHEREAS, under the first paragraph of section 52.1 of the Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01), when fixing or modifying rates chargeable by the electric power distributor to a consumer or a class of consumers, the Régie shall consider the economic, social and environmental concerns which the government may indicate to it by order in Council;

WHEREAS, under the second paragraph of section 72 of the Act, the government may indicate by order to the Régie the economic, social and environmental concerns when approving the supply plan of the electric power distributor;

WHEREAS the government has recognized in its energy policy entitled "L'énergie au service du Québec" [energy serving Quebec] that the production of wind energy may encourage the emergence of an industrial infrastructure in this field and open up economic development for the regions;

WHEREAS on November 27, 2002 the government adopted order in Council number 1399-2002 respecting the economic, social and environmental concerns indicated to the Régie de l'énergie relating to wind energy;

WHEREAS the draft Regulation respecting wind energy and forest biomass energy was published in the *Quebec Official Gazette* of December 11, 2002 with a notice that it could be enacted by the government upon the expiry of a 45-day period following its publication;

WHEREAS on March 5, 2003, the government enacted, by order in Council number 352-2003 the Regulation respecting wind energy and biomass energy, with amendments, to take into account comments received;

WHEREAS it is expedient to replace order in Council number 1399-2002 of November 27, 2002 respecting economic, social and environmental concerns indicated to the Régie de l'énergie with respect to wind energy, in order to point out to the Régie the economic, social and environmental concerns respecting wind energy and biomass energy;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Natural Resources and the Minister for Energy:

THAT the following economic, social and environmental concerns respecting wind energy and biomass energy be indicated to the Régie de l'énergie:

1) The maximization of economic benefits in the regional county municipality of Matane and in the administrative region of Gaspé-Îles-de-la-Madeleine for employment and investment must be carried out by the establishment of facilities for the assembly of wind turbines and wind energy parks and for each project required per block of wind energy determined by the Regulation respecting wind energy and biomass energy, made by order in Council No. 352-2003 of March 5, 2003, by incurring expenses and making investments in such regional county municipality and in such administrative region corresponding to:

- 40% of the aggregate cost for the 200 megawatts required no later than December 1, 2006 ;
- 50% of the aggregate cost for the 100 megawatts required no later than December 1, 2007;
- 60% of the aggregate cost for the other megawatts required thereafter;

2) To ensure the emergence of wind energy generation and to encourage biomass energy generation as defined in the Regulation respecting wind energy and biomass energy, the purchase cost of electricity from blocks of energy determined by regulation of the government shall be taken into account in the establishment of the cost of service of the electric power distributor.

Jean St-Gelais,
Clerk of the Conseil exécutif
Government of Quebec