

UNEDITED

The Rural Electrification Act

being

Chapter 372 of *The Revised Statutes of Saskatchewan, 1953*
(effective February 1, 1954).

FOR HISTORICAL REFERENCE ONLY

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

	SHORT TITLE		
1	Short title	26	Deferred payments
	INTERPRETATION	27	Power line levy
2	Interpretation	28	Discretion or corporation as to time for construction
	PART I	29	Adjustment where actual cost differs from estimated cost
	Supply of Power by Corporation	30	Occupants of exempt land applying for service
	CUSTOMERS NOT WITHIN RURAL POWER DISTRICT	31	Further duties of committee
3	Supply contracts	32	Supply contracts
4	Apportionment of cost of line serving one customer		PART II
5	Apportionment of cost where two or more customers served		ADDITIONAL PROVISIONS REGARDING SUPPLY UNDER PART I
6	Variation of sections 4 and 5	33	Construction, maintenance and operation
7	Credit for part of construction costs	34	Rates
8	Recovery of amounts in arrears	35	Security for accounts
	RURAL POWER DISTRICTS	36	Disconnection of service
9	Application for establishment of district	37	Enforcement of payment by action, etc.
10	Approval of district and provisional committee	38	Acquisition of lands and easements by corporation
11	Area of District	39	Entry on lands adjoining lines
12	Apportionment of costs	40	Regulations
13	List of persons qualified to vote		PART III
14	Meeting of owners and occupants		RURAL POWER CO-OPERATIVE ASSOCIATIONS
15	Election of chairman, etc.	41	Application of Part
16	Qualifications for voting	42	Recommendation of corporation required
17	Representatives of corporation	43	Information required, and report on project
18	Rural Power District Committee	44	Construction by corporation
19	Majority required	45	Lands and easements required
20	Where required majority not obtained	46	Contracts for supply of power, etc.
21	Submarginal lands	47	Rates for retail supply
22	Order establishing district	48	Security for accounts, enforcement of payment, etc.
23	Statement of estimated amount of costs	49	Entry on lands adjoining lines
24	Collection of moneys	50	Sale of system
25	Amount to be paid before construction is proceeded with		

CHAPTER 372

An Act respecting Rural Electrification

SHORT TITLE

Short title

- 1 This Act may be cited as *The Rural Electrification Act*.

R.S.S. 1953, c.372, s.1.

INTERPRETATION

Interpretation

- 2 In this Act:

“committee”

- 1 “**committee**” means a rural power district committee elected under the provisions of this Act;

“corporation”

- 2 “**corporation**” means the Crown corporation called Saskatchewan Power Corporation;

“district”

- 3 “**district**” means a rural power district established under the provisions of this Act or *The Rural Electrification Act, 1949*;

“farm”

- 4 “**farm**” means a grain farm, a dairy farm, a fur farm, a market garden, a horse, cattle, sheep or poultry ranch, and any land, not within a city, town or village, used for any purpose of the like nature;

“owner”

- 5 “**owner**” means the registered owner of land or a purchaser of land under an agreement for sale thereof;

“resident occupant”

- 6 “**resident occupant**” means a person actually residing on land within a proposed district, or within a district, and who is the owner, tenant or lessee of such land;

“run-off”

- 7 “**run-off**” means a line for carrying electrical power or energy from a rural distribution system to buildings, including the transformer required for transforming the voltage of the said system to the voltage at which the electrical power or energy is to be supplied for the customer’s use;

“rural distribution system”

- 8 “**rural distribution system**” means a line or lines for the distribution and supply of electrical power or energy to resident occupants outside any city, town or village, in accordance with the provisions of this Act, but not including run-offs;

“transformer”

- 9 “**transformer**” includes all equipment necessary for the installation thereof.

1949, c.122, s.2; R.S.S. 1953, c.372, s.2.

PART I

Supply of Power by Corporation**CUSTOMERS NOT WITHIN RURAL POWER DISTRICT****Supply contracts**

3(1) The corporation may enter into contracts with owners or occupants of farms, not within a rural power district, for the supply of electrical power or energy to the farms owned or occupied by them, by means of lines owned by the corporation.

(2) The approval of the Lieutenant Governor in Council shall not be required with respect to such contracts, if made in accordance with section 4 or section 5.

1949, c.122, s.3; 1950, c.101, s.2; R.S.S. 1953, c.372, s.3.

Apportionment of cost of line serving one customer

4(1) The cost of any line required for carrying one electrical power or energy to a single farm, not within a rural power district, excepting the run-off to the buildings on the farm, shall be borne by the corporation so far as material is concerned and by the owner or occupant of the farm so far as work and labour are concerned.

(2) The cost of staking the line, the cost of brushcutting and the cost of easements for the line shall be considered as part of the cost of work and labour.

(3) The cost of the run-off shall be borne by the owner or occupant of the farm, both as regards material and as regards work and labour.

(4) Lines and run-offs referred to in this section shall be the property of the corporation.

1949, c.122, s.4; R.S.S. 1953, c.372, s.4.

Apportionment of cost where two or more customers served

5 Where two or more farms, not within a rural power district, can be supplied with electrical power or energy by means of a line or lines, the provisions of section 4 shall apply, except that (a) the cost of the line or lines, so far as work and labour are concerned, shall be borne by the owners or occupants of the farms in such proportions as the corporation may consider fair and equitable, and (b) where one transformer and one run-off can be and are used for service to more than one farm, the cost thereof shall be borne in equal shares by the parties to be served by the transformer.

1949, c.122, s.5; 1950, c.101, s.3; R.S.S. 1953, c.372, s.5.

Variation of sections 4 and 5

6 The provisions of sections 1 and 5 may be varied by regulations made under the provisions of section 40, and such regulations may be of general or limited application.

1951, c.102, s.2; R.S.S. 1953, c.372, s.6.

Credit for part of construction costs

7(1) Where the corporation agrees to supply electrical energy in accordance with the provisions of sections 4 and 5, or in accordance with regulations made under the authority of section 6, the corporation may permit an owner of land to pay by instalments a portion of his share of the amount payable to the corporation in respect of construction costs.

(2) The portion of an owner's share of costs for which credit may be so given shall be the portion provided for in regulations made under the provisions of section 10; and such regulations may prescribe the period or periods for which credit may be given, and may make provision for extensions thereof and in general for the terms and conditions on which such credit may be given.

(3) The corporation may charge interest at a uniform rate not exceeding five per cent per annum on outstanding amounts.

(4) The corporation shall have the right to discontinue the supply of electrical energy to the premises of any person who is in arrears in respect of the payment of any amount owing to the corporation under this section and on discontinuance of service may remove from the land belonging to such person the transformer and any poles, wires and other apparatus and equipment belonging to the corporation.

1951, c.102, s.3; R.S.S. 1953, c.372, s.7.

Recovery of amounts in arrears

8(1) When credit has been given to any person in accordance with section 7, and any part of the amount for which credit has been given is past due and unpaid, the corporation may prepare a statement showing the amount in arrears, including any interest thereon, the land in respect of which such amount is owing, which shall be the parcel of land not exceeding one-quarter section to which electrical energy has been made available by the corporation, and the name of the owner of the said land; and the corporation shall forward the statement to the secretary treasurer of the rural municipality in which the land is situated, or to the Minister of Municipal Affairs if the land is situated in a local improvement district.

(2) Subsections (2) and (6) of section 27 apply with the necessary modifications to the amounts payable to the corporation under the provisions of section 7 and this section.

(3) If the statement referred to in subsection (1) is forwarded to the rural municipality or the minister on or before the first of March in any year, the municipality or the minister shall make the levy in that year; otherwise the same shall be made in the next following year.

(4) Every sum of money due and payable to the corporation, in respect of which a statement has been forwarded by the corporation to the rural municipality or to the minister, shall constitute a tax lawfully imposed upon the owner of the land and upon the land itself by the municipality or the minister, as the case may be, and shall be payable by the owner and recoverable against the land at the same time and in the same manner as municipal taxes and local improvement district taxes are payable and recoverable by law.

1951, c.102, s.3; R.S.S. 1953, c.372, s.8.

RURAL POWER DISTRICTS

Application for establishment of district

9(1) Any seven or more resident occupants may apply to the corporation for the establishment of a rural power district and the supply of electrical power or energy therein by means of a rural distribution system owned by the corporation.

(2) The application shall be in a form prescribed by the corporation and shall be signed by each applicant in the presence of an attesting witness. It shall be accompanied by a map or plan of the proposed district showing the lands therein, the location of buildings and the names of all resident occupants; and the application shall contain such additional information as the corporation ay require.

(3) The corporation shall make or cause to be made a survey of the proposed district and lands in the vicinity thereof, and all relevant inquiries for the purpose of determining the cost of the necessary rural distribution system; the cost of necessary run-offs; the number of resident occupants of lands in the proposed district who are willing to take electrical service; the estimated cost of operating and maintaining the rural distribution system and run-offs, and of supplying electrical power and energy in the proposed district; the estimated revenue to be derived from the proposed district; and all other relevant matters.

1949, c.122, s.7; R.S.S. 1953, c.372, s.9.

Approval of district and provisional committee

10(1) The corporation may approve or reject the application, or may approve the proposed district subject to a change or changes in the boundaries thereof.

(2) If the corporation approves an application, or approves a proposed district subject to a change or changes in boundaries, the corporation shall prepare a report and recommendation as regards the proposed district and shall, in such report and recommendation, designate not less than three nor more than nine resident owners of land in the district to be a provisional committee, for the purpose of assisting the corporation in arranging for the meeting provided for in section 14. The corporation shall, in designating the provisional committee, name one of the members as the chairman thereof.

1949, c.122, s.8; 1950, c.101, s.4; R.S.S. 1953, c.372, s.10.

Area of District

11(1) Subject to subsection (2), a district shall consist of all parcels of land, of an area of one-quarter section or less, any part of which lies within 300 feet of the lines constituting the rural distribution system, provided that a parcel of land, of an area of one-quarter section or less, situated within one-half mile of a transmission line belonging to the corporation and not forming part of the rural distribution system, shall not be included in the district, unless the owner of such land desires to obtain electrical service from the rural distribution system.

(2) The corporation may in its discretion establish a district of lesser extent than that provided for in subsection (1).

(3) The corporation may, in accordance with regulations made under section 40, alter the boundaries of a district so as to increase or decrease the area thereof.

1949, c.122, s.9; 1950, c.101, s.5; R.S.S. 1953, c.372, s.11.

Apportionment of costs

12(1) Subject to the provisions of subsections (2) and (3), the cost of construction of a rural distribution system and of run-offs shall be borne as follows:

1 The cost of material required for the construction of the rural distribution system, including freight paid to the railway point nearest to the location at which the material is to be used, and one meter for each customer, shall be borne by the corporation;

2 The cost of each transformer required for service to a parcel of land, and the cost of material for the run-off, shall be borne by the owner of the land; and where one transformer and one run-off can be and are used for service to more than one parcel of land, the cost thereof shall be borne in equal shares by the owners of such land;

3 The cost of work and labour on the rural distribution system and run-offs, including the cost of staking and brushcutting, the cost of unloading, transporting from the railroad, and storing all material, and the cost of easements, shall be totalled. The total amount of these costs shall be apportioned over the lands in the district on the basis of an equal amount being allocated to each quarter section, or where a parcel of land is less than a quarter section; on the basis of such parcel being charged with a *pro rata* share, on an acreage basis, of the amount chargeable to a quarter section, provided that the amount allocated to each parcel of land which is less than a quarter section and is occupied by a resident occupant shall not be less than one half of the amount allocated to a quarter section. The proper portions of these costs shall, subject to the provisions of section 21, be payable to the corporation by the owners of such lands.

(2) The costs payable under the provisions of paragraph 3 of subsection (1) may in the first instance be the amounts thereof as estimated by the corporation, subject to adjustment under the provisions of section 29.

(3) The provisions of subsection (1) may be varied by regulations made under the provisions of section 40 and such regulations may be of general or limited application.

1949, c.122, s.10; R.S.S. 1953, c.372, s.12.

List of persons qualified to vote

13(1) The provisional committee shall without delay prepare a list of the owners and resident occupants of lands in the area described in the corporation's report and recommendation as the area of the proposed district, and shall indicate on the list as accurately as possible the owners and resident occupants who possess the qualifications set forth in section 16 as entitling persons to take part in the meeting provided for in section 14 and to vote thereat.

(2) For the purpose of obtaining the requisite information, the provisional committee or any member or members thereof shall give to all such owners and resident occupants of land as are readily accessible an opportunity, at least fifteen days before the date fixed for the meeting, to sign a declaration of qualification in a form satisfactory to the corporation. The declaration shall be so signed in the presence of a member of the provisional committee, who shall sign the same as witness.

(3) The list provided for in subsection (1) shall not be deemed to be a closed list of persons entitled to take part in the meeting or to vote thereat.

1950, c.101, s.6; R.S.S. 1953, c.372, s.13.

Meeting of owners and occupants

14(1) The corporation shall call or cause to be called occupants a meeting of owners and occupants of lands in the proposed district for the purpose of submitting to them the report and recommendation referred to in section 10, supplying them with such information as they may request in connection with the proposed district, obtaining approval of the establishment of the proposed district and in case of approval electing a committee to take the place of the provisional committee; and also for the purpose of receiving applications for the exemption of any lands in the proposed district on the ground that the same are submarginal lands as defined pursuant to section 21.

(2) The meeting shall be called by notices posted in at least five widely separated and conspicuous public places within the proposed district, one of which shall be the post office, and if there is no post office in the proposed district five notices shall be posted in the proposed district and a notice shall also be posted at the post office nearest thereto.

(3) All notices shall be so posted at least eight days before the date fixed for the meeting, and the said eight days shall not include the day on which the notices are posted nor the day on which the meeting is held.

(4) Notices may be either written or printed or partly written and partly printed, and each notice shall state the place, date and hour of the meeting and in brief the purpose of the meeting.

(5) Every notice referred to in subsections (2), (8), (4) and (6) shall be accompanied by a copy of the list referred to in section 1a and a copy of a map or plan of the proposed district.

(6) Proof of posting of notices, with accompanying copies of list and of map or plan, shall be made by certificate or certificates signed by the person or persons who personally posted the same, designating the places at which and the date or dates on which the notices with accompanying copies of list and of map or plan were posted.

1919, c.122, s.11; 1950, c.101, s.7; R.S.S. 1953, c.372, s.14.

Election of chairman, etc.

15 At the place and time fixed for the meeting the owners and occupants present and entitled to vote shall elect one of their number as chairman of the meeting and they shall also elect a secretary for the purposes of the meeting.

1949, c.122, s.12; R.S.S. 1953, c.372, s.15.

Qualifications for voting

16(1) The persons entitled to take part in the meeting and to vote thereat shall be (a) the owners, of the full age of eighteen years, of land in the proposed district, and (b) resident occupants, of the full age of eighteen years, of land in the proposed district who have resided therein for at least two months immediately prior to the date of the meeting. Persons whose names are not on the list provided for in section 13 may prove their right to take part in the meeting and to vote thereat by signing a declaration of qualification in the form referred to in that section, and every such signature shall be witnessed as provided in that section.

(2) Declarations signed in accordance with section 13 or this section shall be forwarded by the secretary of the meeting to the corporation.

(3) No person shall be allowed to take part in the meeting or vote thereat unless he has signed a declaration as provided in section 15 or this section.

(4) The chairman shall not vote on any question except in case of a tie, in which event he shall give a casting vote.

1949, c.122, s.13; 1950, c.101, s.8; R.S.S. 1953, c.372, s.16.

Representatives of corporation

17 One or more representatives of the corporation may corporation be present at a meeting for the purpose of furnishing information relative to the proposed district and the required distribution system, but such representatives shall not be entitled to vote.

1949, c.122, s.14; R.S.S. 1953, c.372, s.17.

Rural Power District Committee

18(1) If the meeting approves the establishment of committee a district the owners and occupants present and entitled to vote shall by a majority vote elect not less than three nor more than nine resident owners of lands in the proposed district to be a committee for the purposes hereinafter mentioned.

(2) The members of the committee shall hold office for a period of two years. The acts of a majority of the committee shall be deemed to be the acts of the committee.

(3) If a member dies or resigns the remaining members may meet and appoint a resident owner to fill the vacancy.

(4) The committee shall, as soon as convenient after its appointment, meet and elect one of its members to be chairman and another to be secretary treasurer of the committee, and may also elect one of its members to be vice-chairman.

(5) If the chairman, vice-chairman or secretary treasurer dies or resigns the committee shall meet and elect one of its members to fill the vacancy.

(6) The secretary treasurer shall be bonded in favour of the corporation in such amount as the corporation may determine for duly accounting for moneys which come into his hands or under his control.

1949, c.122, s.15; R.S.S. 1953, c.372, s.18.

Majority required

19(1) Approval of the establishment of a district and the construction of a rural distribution system therein shall not be deemed to have been given unless:

(a) at least two-thirds of the persons present and entitled to vote at the meeting have voted in the affirmative; and

(b) at least two-thirds of the resident occupants of lands in the proposed district have signified their approval of the establishment of the proposed district and the construction of a rural distribution system therein in writing in a form satisfactory to the corporation.

(2) The vote provided for in subsection (1) shall be taken by ballot, and the ballot shall be in a form approved by the corporation.

(3) The secretary of the meeting shall forward to the corporation a copy of the minutes of the meeting certified to be a true copy by the chairman and the secretary of the meeting.

(4) Signed approvals by resident occupants, as provided for in subsection (1), shall be forwarded to the corporation by the secretary of the meeting or by the secretary of the committee.

1949, c.122, s.16; R.S.S. 1953, c.372, s.19.

Where required majority not obtained

20 If the required majority in favour of the project is not obtained, the establishment of the proposed district shall be deferred.

1949, c.122, s.17; R.S.S. 1953, c.372, s.20.

Submarginal lands

21(1) When the establishment of a district has been approved in accordance with the provisions of section 19, the corporation and the committee shall consider applications for exemption of lands on the ground that the same are submarginal, and shall grant such exemptions as they deem proper.

(2) The expression "submarginal lands" shall for the purposes of subsection (1) have such meaning as may be determined by regulations made under the provisions of section 40.

1949, c.122, s.18; R.S.S. 1953, c.372, s.21.

Order establishing district

22(1) When the provisions of sections 19 and 21 have been complied with, the corporation shall make an order establishing a rural power district, describing the boundaries thereof and assigning to it a name. Every district shall be entitled "The _____ Rural Power District", the blank being filled in with the name assigned to the district, and the committee provided for in section 1 shall be known as "The _____ Rural Power District Committee", the blank being filled in to correspond with the name assigned to the district.

(2) The corporation shall publish a copy of such order in *The Saskatchewan Gazette*.

1949, c.122, s.19; R.S.S. 1953, c.372, s.22.

Statement of estimated amount of costs

23(1) The corporation and the committee shall prepare and jointly sign a statement in duplicate, showing:

(a) the estimated amount of the costs payable by the respective owners of lands in the district in accordance with paragraph 2 of subsection (1) of section 12; and

(b) the estimated amount of the costs payable by owners of lands in the district in accordance with paragraph 3 of subsection (1) of section 12, and the apportionment thereof over the said lands in accordance with the said paragraph 3.

(2) A true copy of such statement shall be mailed by the corporation to the owners of the said lands.

1949, c.122, s.20; R.S.S. 1953, c.372, s.23.

Collection of moneys

24 The committee shall forthwith take steps to collect from the owners of lands in the district the costs referred to in paragraphs 2 and 3 of subsection (1) of section 12, and shall forward all amounts collected to the corporation.

1949, c.122, s.21; R.S.S. 1953, c.372, s.24.

Amount to be paid before construction is proceeded with

25(1) The corporation shall not proceed with the construction of a rural distribution system unless at least seventy-five per cent of the total amount for which owners are responsible in accordance with paragraphs 2 and 3 of subsection (1) of section 12 has been paid to the corporation, or deposited in bank to the satisfaction of the corporation.

(2) The corporation shall not proceed with the construction of a run-off unless at least fifty per cent of the cost of the transformer and other material for the run-off has been paid to the corporation, or deposited in bank to the satisfaction of the corporation.

1950, c.101, s.9; R.S.S. 1953, c.372, s.25.

Deferred payments

26(1) The committee shall, upon the expiration of thirty days after the mailing of the copies of statement as provided for in subsection (2) of section 23, prepare a statement showing, on the basis of the estimate made, the amounts owing as costs payable under the provisions of paragraphs 2 and 3 of subsection (1) of section 12, after crediting amounts collected; the lands in respect of which such amounts are owing; the names of the owners thereof; and the amount to be payable by each person whose name appears on the statement, in each year for five successive years, as deferred payments, including interest at a uniform rate not exceeding five per cent per annum on outstanding amounts, the said amounts to be calculated so that the five deferred payments shall be as nearly as possible of equal amount.

(2) The statement referred to in subsection (1) shall be submitted by the committee to the corporation for approval and when approved shall be signed by the corporation and the committee.

1949, c.122, s.23; 1950, c.101, s.10; R.S.S. 1953, c.372, s.26.

Power line levy

27(1) The corporation shall without delay forward a true copy of the statement provided for in section 26 to the secretary treasurer of each rural municipality in which lands included in the statement are situated, and to the Minister of Municipal Affairs in respect of each local improvement district in which such lands are situated.

(2) The municipality and the minister shall make due provision for the levy and collection of every sum of money payable in accordance with such statement, herein referred to as power line levies, and for that purpose the municipality and the minister shall have all the powers conferred upon them and perform all the duties imposed upon them by statute with respect to the levying and collection of taxes.

(3) If the copy of the statement is forwarded to the secretary treasurer or the minister on or before the first day of March in any year, the municipality or the minister shall make the first levy in that year; otherwise the first levy shall be made in the next following year.

(4) Subject to subsection (5) every sum of money levied against land under the provisions of this section shall constitute a tax lawfully imposed upon the owner of the land and upon the land itself by the municipality or the minister, as the case may be, and shall be payable by the owner and recoverable against the land at the same time and in the same manner as municipal taxes and local improvement district taxes are payable and recoverable by law.

(5) Where the title to a parcel of land, which would otherwise be chargeable with a power line levy under this section, is in the Crown, the land itself shall not be liable for any levy under this section, but the occupant shall be personally charged therewith with respect to his occupancy.

(6) The municipality and the minister shall forward to the corporation before the tenth day of each month all amounts collected as power line levies under this section.

(7) The amounts of power line levies may be prepaid in whole or in part and, where an amount payable is prepaid in part, it shall be applied against the amount owing in the fifth year of the levy or, if that has been paid, it shall be applied against the amount owing in the fourth year and so on, applying amounts prepaid against the amounts owing in the third, second and first year in that order.

(8) When the amounts of the power line levies in respect of a parcel of land have been paid in full in accordance with subsection (7), the corporation may authorize an adjustment of interest charges.

1949, c.122, s.24; 1951, c.102, s.4; R.S.S. 1953, c.372, s.27.

Discretion or corporation as to time for construction

28 Nothing in this Act shall be construed as binding the corporation to proceed with the construction of a rural distribution system within any specific time.

1949, c.122, s.25; R.S.S. 1953, c.372, s.28.

Adjustment where actual cost differs from estimated cost

29 Where the actual cost of construction of a rural distribution and run-offs is less or greater than the estimated cost, adjustments of amounts payable under the provisions of this Part shall be effected in such manner as the corporation deems just and reasonable.

1949, c.122, s.26; R.S.S. 1953, c.372, s.29.

Occupants of exempt land applying for service

30 If an occupant of land which is exempt from liability for a share of costs applies to the corporation for electrical service, he shall be required to pay to the corporation, as a condition of receiving service, his proper charges under paragraph 2 of subsection (1) of section 12 and an amount computed by the corporation as the average of the costs payable under paragraph 3 of subsection (1) of section 12.

1949, c.122, s.27; R.S.S. 1953, c.372, s.30.

Further duties of committee

31 When the duties of a rural power district committee as set out in this Part have been performed, the committee shall continue to function as an advisory committee and shall perform such further duties as are necessary in connection with load-building and extensions.

1949, c.122, s.28; R.S.S. 1953, c.372, s.31.

Supply contracts

32(1) The corporation may enter into contracts with resident occupants for the supply to them of electrical power or energy.

(2) The approval of the Lieutenant Governor in Council shall not be required with respect to such contracts.

1949, c.122, s.29; 1950, c.101, s.11; R.S.S. 1953, c.372, s.32.

PART II

ADDITIONAL PROVISIONS REGARDING SUPPLY UNDER PART I

Construction, maintenance and operation

33(1) The corporation shall construct rural distribution systems and run-offs in rural power districts or arrange for and supervise the construction thereof, and shall also maintain and operate the same.

(2) Rural distribution systems and run-offs in rural power districts shall be the property of the corporation.

1949, c.122, s.30; R.S.S. 1953, c.372, s.33.

Rates

34(1) The rates to be charged by the corporation for the supply of electrical power and energy under the provisions of Part I may consist of a service charge and an energy charge, and provision may be made for a minimum monthly account.

(2) Such rates shall be determined by the corporation and may be altered by the corporation, and they shall so far as possible be uniform in amount where the nature and conditions of service are similar.

1949, c.122, s.31; R.S.S. 1953, c.372, s.34.

Security for accounts

35(1) The corporation, before supplying electrical power or energy to any customer, or as a condition of continuing to supply the same, may require the customer to give security for the payment of the proper charges of the corporation therefor, or for carrying the electrical power or energy into the customer's buildings.

(2) Such security shall be given by way of deposits made with the corporation, or by way of bonds given by the customer and a guarantee company approved by the corporation. The amounts of such deposits or such bonds shall be determined by the corporation.

1949, c.122, s.32; R.S.S. 1953, c.372, s.35.

Disconnection of service

36 If a customer fails to pay the amount of any account rendered by the corporation within fifteen days from the day on which the same is rendered, the corporation or anyone acting under its authority, on giving at least forty-eight hours notice to the customer, may stop the supply of electrical power and energy from entering into or being supplied to his premises, by cutting off the service wires or conductors or by such other means as the corporation or its officers or servants see fit.

1949, c.122, s.33; R.S.S. 1953, c.372, s.36.

Enforcement of payment by action, etc.

37(1) The corporation may enforce payment of rates and charges for electrical power or energy supplied as provided for in section 34 by action in any court of competent jurisdiction, or by distress and sale of the goods and chattels of the person owing such rates and charges, wherever the same may be found.

(2) Such distress and sale shall be conducted in the same manner as a distress and sale for unpaid taxes under *The Rural Municipality Act*, and the costs chargeable therefor shall be those provided for in the said Act.

19119, c.122, s.34; R.S.S. 1953, c.372, s.37.

Acquisition of lands and easements by corporation

38 The provisions of sections 22 to 29 of *The Power Corporation Act* apply to the acquisition by the corporation of lands and rights or easements in or over lands for the purposes of this Act.

1950, c.101, s.12; R.S.S. 1953, c.372, s.38.

Entry on lands adjoining lines

39(1) The corporation may enter upon any land upon either side of the route of lines constituting a rural distribution system constructed in accordance with the provisions of this Act, for the purpose of doing all things necessary for the operation, maintenance, repair and replacement of any line or part thereof.

(2) Any cross-arms, wires or other attachments to power poles may project over the property adjoining a highway or road, and any trees or shrubs which are likely to or do interfere with such overhanging cross-arms, wires or other attachments may be trimmed or removed by the corporation, and other obstructions may be removed by the corporation to such extent as may be necessary. In the trimming of any tree or shrub, every care shall be taken to ensure that no damage is done to the tree or shrub other than damage which is unavoidable.

1949, c.122, s.36; R.S.S. 1953, c.372, s.39.

Regulations

40(1) The Lieutenant Governor in Council may make regulations not inconsistent with the spirit of this Act for the purpose of carrying out the provisions thereof according to their true intent and supplying any deficiency therein.

(2) Without prejudice to the generality of subsection (1), the Lieutenant Governor in Council may make regulations regarding the matters referred to in section 6, section 7, subsection (3) of section 11, subsection (3) of section 12, and subsection (2) of section 21, and also regarding the terms and conditions upon which electrical service may be furnished by the corporation to schools, churches, community halls, elevators, railway stations, gasoline filling stations, and other buildings in rural areas, including buildings in hamlets.

(3) Such regulations shall be published in the *Gazette* and when so published shall have the same force and effect as if incorporated in this Act.

1949, c.122, s.37; 1951, c.102, s.5; R.S.S. 1953, c.372, s.40.

PART III

RURAL POWER CO-OPERATIVE ASSOCIATIONS

Application of Part

41(1) This Part applies to associations incorporated under *The Co-operative Associations Act* or any former *Co-operative Associations Act*, which have as their principal object the acquisition of electrical power or energy for distribution to their members and patrons by means of rural distribution systems owned by the associations.

(2) Every such association is in this Part referred to as a “rural power co-operative association” or an “association”.

1949, c.122, s.38; R.S.S. 1953, c.372, s.41.

Recommendation of corporation required

42(1) The Registrar of Co-operative Associations shall, on receiving an application for incorporation of a rural power co-operative association, forthwith send a notice of the application to the corporation, together with such information as is in his possession regarding the power distribution project to be undertaken by the proposed association.

(2) Incorporation shall not be granted except upon the recommendation of the corporation.

1919, c.122, s.39; R.S.S. 1953, c.372, s.42.

Information required, and report on project

43(1) If the information referred to in section 42 does not include a sufficient map or plan of the area in which it is intended that the proposed association will operate, the corporation may require the furnishing of such map or plan, showing the lands in the area, the location of buildings, and the names of the owners and occupants of the lands. The corporation may also require the furnishing of such additional information relative to the power distribution project as the corporation considers necessary.

(2) The corporation shall make or cause to be made a survey of the purposed area and all proper inquiries for the purpose of determining the cost of the proposed rural distribution system, with run-offs to buildings; the cost of operation and maintenance of the distribution system; the probable consumption by consumers to be supplied with electrical power and energy by means of the distribution system; and all other relevant matters.

(3) The corporation shall as soon as practicable make a report in writing to the Minister of Co-operation and Co-operative Development on the economics of the power distribution project, and may give or withhold its recommendation for the incorporation of the proposed association.

1949, c.122, s.40; R.S.S. 1953, c.372, s.43.

Construction by corporation

44 When a rural power co-operative association has been incorporated and has satisfied the corporation of its ability to pay for the construction of the rural distribution system and run-offs, including all material, work and labour, the corporation may construct the distribution system and run-offs for the association or may cause the same to be so constructed, and on completion of the work shall certify to the association the amount of the cost thereof, or the corporation may issue an authorization for the construction of the distribution system and run-offs by the association or a contractor employed by it.

1949, c.122, s.41; 1950, c.101, s.13; R.S.S. 1953, c.372, s.44.

Lands and easements required

45(1) Lands and easements of right of way required by an association for the purposes of a rural distribution system shall be acquired by an association at its own expense.

(2) The provisions of sections 22 to 29 of *The Power Corporation Act* apply with the necessary modifications to the acquisition of lands and easements of right of way by rural power co-operative associations for the purposes of this Act. A notice of requirement under section 24 or 25 of the said Act, or an instrument of release of easement under section 29 of that Act, shall be executed by the association under its corporate seal, attested by the signatures of its proper officers.

(3) A rural power co-operative association shall be deemed to be a public utility company for the purposes of *The Public Utilities Easements Act*.

1949, c.122, s.42; 1950, c.101, s.14; R.S.S. 1953, c.372, s.45.

Contracts for supply of power, etc.

46(1) The corporation and a rural power co-operative association may enter into a contract for the supply of electrical power and energy in bulk by the corporation to the association, at such rate and on such terms and conditions as may be mutually agreed on.

(2) The corporation and an association may, by the same or another contract, agree that the corporation shall maintain and operate the distribution system belonging to the association, on such terms and conditions as may be mutually agreed on.

(3) Contracts entered into under the provisions of subsections (1) and (2) may be altered or varied from time to time by written agreement of the parties thereto.

(4) The approval of the Lieutenant Governor in Council shall not be required with respect to such contracts or agreements.

1949, c.122, s.43; 1950, c.101, s.15; R.S.S. 1953, c.372, s.46.

Rates for retail supply

47(1) The rates to be charged by the association for the supply of electrical power and energy to its customers may consist of a service charge and an energy charge, and provision may be made for a minimum monthly account.

(2) Such rates and any alteration thereof shall be subject to the approval of the corporation.

1949, c.122, s.44; 1950, c.101, s.16; R.S.S. 1953, c.372, s.47.

Security for accounts, enforcement of payment, etc.

48 The provisions of sections 35, 36 and 37 regarding security for payment of accounts, disconnection of service in the event of default in payment and enforcement of payment of rates and charges by action or by distress and sale apply to accounts rendered by an association to its customers, and for that purpose shall be read as if the words "an association" were substituted for the words "the corporation" wherever they occur in the said sections.

1949, c.122, s.45; R.S.S. 1953, c.372, s.48.

Entry on lands adjoining lines

49 The provisions of section 39 apply to an association and to lines, cross-arms, wires and other attachments belonging to the association, as if the words "an association" were substituted for the words "the corporation" wherever they occur in the said section.

1949, c.122, s.46; R.S.S. 1953, c.372, s.49.

Sale of system

50 If an association ceases to operate for the purpose of supplying electrical power and energy to its customers, the association shall not sell or dispose of its distribution system without having first given to the corporation three months' notice of its intention to do so.

1949, c.122, s.47; R.S.S. 1953, c.372, s.50.

FOR HISTORICAL REFERENCE ONLY