

# *The Water Power Rental Regulations*

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[Chapter W-6 Reg 2](#) (effective November 8, 2006) as amended by Saskatchewan Regulations [109/2009](#), [65/2010](#), [71/2011](#), [5/2013](#) and [100/2013](#).

## **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.**

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## CHAPTER W-6 REG 2

### *The Water Power Act*

#### Title

- 1 These regulations may be cited as *The Water Power Rental Regulations*.

#### Interpretation

- 2 In these regulations:

- (a) **Repealed.** 11 Dec 2009 SR 109/2009 s3.
- (b) **Repealed.** 11 Dec 2009 SR 109/2009 s3.
- (c) **Repealed.** 11 Dec 2009 SR 109/2009 s3.
- (d) **“generating capacity”** means a measure of the potential, expressed in units of kilowatts, for works to generate electrical power;
- (e) **“initial development”** means initial development within the meaning of the Water Power Regulations;
- (f) **“KVA rating”** means, with respect to a generator, a measure of apparent power, in units of kilovolt amperes, or the dimensional equivalent kilowatts, as specified on the manufacturer’s specification plate for the generator;
- (g) **“licence”** means an interim licence or a final licence, as the case may be, within the meaning of the Water Power Regulations;
- (h) **“licensee”** means a licensee within the meaning of the Water Power Regulations;
- (i) **“the Water Power Regulations”** means the Water Power Regulations, being Saskatchewan Regulations 906/68 as published in the Gazette of December 7, 1943 as a Schedule to Order in Council 1360/43;
- (j) **“works”** means works within the meaning of the Water Power Regulations.

17 Nov 2006 cW-6 Reg 2 s2; 11 Dec 2009 SR  
109/2009 s3.

**Water rental**

3(1) Every person who uses water for the purpose of producing water power using works, including persons who store water for the purpose of producing water power, shall pay a water rental to the corporation calculated in accordance with these regulations.

(2) The water rental payable pursuant to subsection (1) for each calendar year is the greater of:

(a) \$0.25 per quarter year per kilowatt of generating capacity for the works calculated by multiplying the manufacturer's KVA rating by the power factor as specified on the manufacturer's specification plate on each generator; and

(b) the amount per megawatt hour of power generated from the water used for the purpose of producing water power set out in the Appendix.

(3) Payments of water rental are to be made each successive quarter year or part of a quarter year during which the works generating the power are in operation or are on standby.

(4) Every licensee shall submit to the corporation all data required to calculate the water rental payable pursuant to these regulations.

(5) For the purposes of these regulations, the calendar quarter years, payment dates and dates for submission of rental data are as follows:

<i>Quarter</i>	<i>Submission of Data and Payment due dates</i>
1 January 1 to March 31	April 30
2 April 1 to June 30	July 31
3 July 1 to September 30	October 31
4 October 1 to December 31	January 31.

(6) Notwithstanding subsection (3):

(a) the water rental calculated pursuant to subsection (2) is to begin on the date fixed in the interim licence for the completion of the initial development, whether or not that development is completed; and

(b) the first payment of the water rental for a new development is for the period between:

(i) the date fixed for the completion of the initial development; and

(ii) the end of the then current calendar year.

(7) Extensions of time for completion of the initial development for any cause whatsoever do not affect the terms and conditions set out in subsection (6).

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(8) The corporation may charge and collect interest on any water rental not paid in full by the date it is payable pursuant to these regulations at a rate equal to:

- (a) 1.5% per month, compounded monthly; or
- (b) 19.56% per annum.

(9) Any water rental not paid in full by the date on which it is payable, together with any interest payable pursuant to subsection (8), is a debt due and owing to the corporation by the persons from whom it is payable, and the corporation may recover that debt in any manner allowed by law for the recovery of debts due to the Crown.

(10) The acceptance of any payment on account of water rentals or the waiver by the corporation of any default by the licensee of the terms and conditions to which a licensee is subject in any case is not a waiver, and is not deemed to be a waiver, of:

- (a) any of the terms or conditions to which the licensee is subject; or
- (b) any other default of the licensee of the terms and conditions to which the licensee is subject.

(11) For the purpose of determining the water rental payable, the corporation may:

- (a) determine the output of the licensee's works; and
- (b) for the purpose of determining the output of the licensee's works, require the licensee to produce to the corporation, immediately on demand, all relevant data.

(12) Every licensee generating electrical power shall:

- (a) install a recording wattmeter acceptable to the corporation; and
- (b) preserve and produce for inspection all records made by the wattmeter.

17 Nov 2006 cW-6 Reg 2 s3; 11 Dec 2009 SR  
109/2009 s4; 25 Jne 2010 SR 65/2010 s2; 13 Jan  
2012 SR 71/2011 s2; 15 Feb 2013 SR 5/2013 s3.

**Coming into force**

4 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

17 Nov 2006 cW-6 Reg 2 s4.

**Appendix**

Effective Date	Amount per megawatt hour of power generated from the water used for the purpose of producing water power
January 1, 2012	\$4.47053
March 1, 2013	\$4.69406
January 1, 2014	\$4.89356
January 1, 2015	\$5.10153
January 1, 2016	\$5.31835
January 1, 2017	\$5.54438

6 Dec 2013 SR 100/2013 s2.