

power developed or capable of being developed from time to time. The power-commission's estimate of this as a basis for rentals is final and binding on the lessee. (Do. 12 (i & g).)

(6)—Compensation paid for works taken over at the end of the term only if power-commission reports that works are "necessary or useful for the proper development or utilization of the water privilege". Amount of compensation, if any, is left entirely in the discretion of the Lieutenant Governor in Council after receiving report of the power-commission, and the necessary sum being appropriated by Legislative Assembly. If works not useful, licensee is given opportunity to remove movables. (Do. 12 (L)).

(7)—Rentals specified in lease for the entire term thereof, but revisable at renewal periods, i.e. after 20, 10 and 10 years. (Do. 8 & 9).

(8)—Development may be required to the full capacity of the water privilege by an order of the Lieutenant Governor in Council, upon the power-commission reporting that production is not up to capacity and that demands for power exists. The Commission has full powers of inspection of books, records and so forth to carry out this duty. (Do. 12 b & g).

(9)—Where a more comprehensive development is considered desirable at or near the site. The regulations provide that the expropriation features of the Power Commission Act, R.S.O. 1914, chapter 39, shall apply to any water-power leased under the regulations and to any works connected therewith. (12 (h)). This Act should therefore be invoked for this purpose. Compensation would be determined by arbitration under the procedure of the Public Works Act, or at the option of the owner under the Arbitration Act. (Sec. 10 3 & 4, R.S.O. 1914, chap. 39).

(10)—Stream Regulation and Control. While the Ontario regulations and lease forms contain no clause on this point, the total term of the lease and renewals is so short (20 & 10 & 10 years), the conditions of repossession by the Crown are so stringent (see 6 above), and the powers of expropriation through the power-commission so great, that a plan of common storage and regulation works once decided upon for any river system, could be easily put into force.

(11)—Rates charged consumers. The licensee or any party affected may submit the question of rates or conditions for supplying power to the power-commission, and Lieutenant Governor in Council may thereupon pass an order prescribing rates and conditions on the basis of the said report. (Regls. 1907, sec. 12 (d)).

(12)—Cancellation Features. Lease may be cancelled by the Lieutenant Governor in Council for non-payment of rentals or upon report of the power-commission that the lessee has failed to comply with any condition of a lease "or any O. in C. respecting any matter or thing arising under the lease, concerning which, such order is made". (Do. 13).

(13)—"The lease shall at all times be subject to *any general regulations thereafter made* by the Lieutenant Governor in Council affecting the construction and operation of works for the development of water privileges or the supply of power therefrom." (Do. 12 (m)).

(14)—Transfer of lease requires written consent of Minister. (lease form 18).

#### British Columbia

(Does not include Amendments of 1918.)

(1)—Definite term lease plan adopted. (Water Act 1914, sec. 10).

(2)—Application Procedure. Written application giving preliminary data and sketch plans. Applicant must go before provincial water-board with general scheme in a widely advertised public hearing. On favorable report by the board, Minister may issue certificate of approval, after which Comptroller of Water Rights may issue authorization to make detail surveys. Certificate and authorization practically constitute final concession if no lapse on applicant's part. When final plans completed and approved, but not before again advertising and giving objectors a further opportunity of being heard, applicant gets conditional license authorizing him to construct works, and on satisfactory completion of works he gets final license. (Water Act 1914, Part V.).

(3)—Term of license may not exceed fifty years. (Sec. 10). Act silent on renewals, also on mode of terminating licensee's possession.

(4)—Act and regulations silent on whether renewals must be subject to laws and regulations then in force, although the inference from section 10 is that this is so, and that renewal licenses may include conditions entirely foreign to those of the original license.

(5)—Inspection during and after construction permitted. (Do. 41, 65, 117 (4)).

(6)—Act silent on compensation to be paid licensee if license terminated on expiry of term. Possibly under the general powers given the Minister by section 81, he might come to terms with licensee on this point and insert the governing terms in the certificate.

(7)—Annual rentals payable to the Crown. First during the survey-construction period rental made up by applying a charge of from fifty to ten cents per horse-power to the total horse-power capable of being developed. This rental is remitted if construction is completed according to contract. Its purpose is to insure development. Second, during the operation period rental made up by applying a per horse-power charge to the reasonable station out-put for preceding year, as estimated by the Minister. The board is to classify all plants in the province into several groups according to their respective natural and economic advantages, and is to fix the per horse-power charge for each group. This is to be done at least once every five years. (Regls. 1913, secs. 54-68).

Rentals regulations may be revised by Order in Council at any time, providing any particular licensee's rentals not changed oftener than once in three years. Minister may deal specially with paper and pulp companies. (Water Act 1914, secs. 66 & 67).

(8)—Licensee required to deliver and sell power up to capacity of his works on terms laid down by Board. (Do. 136 & 156).

(9)—Act silent regarding expropriation for the purpose of establishing more comprehensive development of the power resources of the stream at or near the site or for benefit of a municipality.

(10)—Act silent on power of Government to regulate stream flow or to construct and operate storage works in the interests of all power users and others. However, there is some control by the Government of storage by licensees, and of use of surplus in possession of one licensee by another on payment of pro-rated costs. (Secs. 122, 123, 156). Also general provisions insuring beneficial use, protecting logging and fishing operations, and providing against the obstruction of the stream. (Secs. 29, 35, 47).

(11)—Rates charged consumers must be approved by board after widely advertised public hearing. Approved schedule to remain effective for time fixed by board, but not longer than ten years. (Do. 159).

(12)—Cancellation Features. License subject to cancellation by board for waste or non-use or default in complying with terms. (Do. 18).

(13)—Act silent as to whether future laws and regulations apply to renewal lease, but the inference from section 10 is that this is so.

(14)—Transfer of license or undertaking connected therewith requires a special petition, a hearing, and an order of the Governor in Council; and transfer of license which involves separation from the undertaking for which it was granted would require the same procedure as an entirely new application under the Act. (Do. 14).

#### Quebec

(1)—Definite term lease plan employed, except for water-powers of 200 horse-power or less, or where special reasons for sale exist.

(2)—Application Procedure. Applicant files plan of river or lake, sketch plans of proposed works, states use to be made of power generated, and gives other general data. Minister of Lands and Forests, if he approves application, states conditions of lease or grant. The applicant is required to deposit a sum fixed by the Minister as a guarantee