

IN THE MATTER OF *The Manitoba Hydro Act*, CCSM, c. H190;

AND IN THE MATTER OF *The Public Utilities Board Act*, CCSM, c. P280;

AND IN THE MATTER OF *The Crown Corporations Public Review and Accountability Act*, CCSM, c. C336;

AND IN THE MATTER OF Manitoba Hydro's 2010/2011 and 2011/2012 General Rate Application.

AFFIDAVIT OF CATHERINE MARY WIRT

I, CATHERINE MARY WIRT, of the City of Winnipeg, in the Province of Manitoba, Advocate,

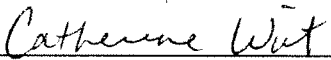
AFFIRM AND SAY THAT:

1. I have personal knowledge of the facts contained in this Affidavit except where they are stated to be based upon information and belief, in which case I believe them to be true.
2. I am employed by Legal Aid Manitoba as an advocate in the Residential Tenancies Pilot Project. I provide information, assistance and advocacy services related to residential tenancies matters. As part of my job, I also provide information, assistance and advocacy for low income persons with disputes with the Province of Manitoba's Employment and Income Assistance Program ("EIA").


3. Attached as Exhibit "A" is an excerpt from the Department of Employment and Income Assistance Policy Manual, relating to the reconciliation of estimated utility costs of EIA recipients.

4. I make this Affidavit in good faith.

AFFIRMED before me at the)
City of Winnipeg, in the)
Province of Manitoba, this 7th)
day of June, 2011.)
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CATHERINE MARY WIRT



A Commissioner for Oaths
in and for the Province of Manitoba
My Commission Expires Feb. 28, 2012

19.2.1 RECONCILIATION OF ESTIMATED UTILITY COSTS

Section 19.2.1 of the Regulation provides authority for the estimated monthly cost of utilities (i.e., water, light, fuel and rental or instalment payments on essential appliances) to be paid based on actual expenditures for the previous 12 months. Where circumstances have changed such that this estimate is no longer valid, the estimated costs for the next 12 months may be used.

Estimated billings should be reconciled to the actual billings during the Annual Review process, or more often if necessary. Overpayments should be recovered in the usual manner and underpayments reimbursed to the participant through a deficit payment. The estimate should be readjusted at this time to reflect actual expenditures.

Every reconciliation should encompass no more than the previous 12 months. Any overpayments which occurred over a year ago and were not detected during a previous Annual Review should not be recovered unless there is sufficient evidence to indicate that the overpayment was not detected previously due to an act of omission (e.g., not submitting utility bills) or commission (e.g., fraud or misrepresentation) on the part of the participant. Similarly, any underpayments, which were not reconciled in a previous Annual Report, should not be reimbursed unless the underpayment was not reconciled previously as a result of staff error.

When utility costs are based on estimated expenditures for the next 12 months, staff should ensure that the participant is actively involved in determining the estimate. Participants should be advised that estimated utility costs will be reconciled to the actual billings as part of the Annual Review process, with overpayments being recovered and underpayments being reimbursed with deficit payments. In order to avoid large overpayments or deficit payments after the Annual Review, participants should be encouraged to monitor their utility billings and to advise staff if the estimate appears to be inaccurate so that the estimate can be adjusted to avoid these situations. Staff may also choose to monitor the estimated utility costs by reconciling actual expenditures and payments for a period of less than 12 months.

This is exhibit " A " referred to in

the Affidavit of CATHERINE

MARY WIRT

sworn before me this 7th

day of June A.D. 2011

[Signature]

A Commissioner for Oaths
in and for the Province of Manitoba

My Commission Expires Feb 28/12