

M A N I T O B A                    )     Order No. 49/04  
  )  
THE MUNICIPAL ACT                 )     April 6, 2004

BEFORE: S. Proven, Acting Chair  
          Graham Lane, Chairman  
          M. Girouard, Member

**THE TOWN OF EMERSON  
WATER AND SEWER UTILITY  
REVENUE DEFICIT 2003**

**WHEREAS** Section 164 of The Municipal and Various Acts Amendment Act, c. 58, provides in part as follows:

"164(4) The council must ensure that the amount of estimated revenue and transfers provided for in the utility budget is not less than the amount of estimated expenditures in respect of the utility unless, before adopting the operating budget, the council obtains The Public Utilities Board's written approval, which may include any condition the Board considers necessary or advisable."

**AND WHEREAS** Section 165(2) of the said Act provides as follows:

"165(2) When a council determines during a fiscal year that expenditures of a utility are likely to exceed the revenue and transfers provided for in the utility budget, the council must immediately advise The Public Utilities Board in writing and may incur a deficiency with the Board's written approval, which may include any condition the Board considers necessary or advisable."

**AND WHEREAS** the water and sewer utility of the Town of Emerson incurred a revenue deficit in the amount of \$31,312.38 in the year 2003;

**AND WHEREAS** it is proposed that the said revenue deficit be recovered by means of a three year tax levy over the ratepayers in the Town of Emerson in approximately equal amounts in 2004, 2005 and 2006;

**IT IS THEREFORE ORDERED THAT:**

1. The revenue deficit in the amount of \$31,312.38 incurred by the water and sewer utility of the Town of Emerson during the year 2003 BE AND THE SAME IS HEREBY APPROVED;
2. The said revenue deficit be recovered by means of a three year tax levy over the ratepayers in the Town of Emerson in approximately equal amounts in 2004, 2005 and 2006.

Fees payable upon this Order - \$50.00

THE PUBLIC UTILITIES BOARD

"S. PROVEN"  
\_\_\_\_\_  
Acting Chair

"G. O. BARRON"  
\_\_\_\_\_  
Secretary

Certified a true copy of Order  
No. 49/04 issued by The Public  
Utilities Board

\_\_\_\_\_  
Secretary