

M A N I T O B A                    )     Order No. 76/05  
  )  
THE MUNICIPAL ACT                 )     May 19, 2005

BEFORE: Graham F. J. Lane, C.A., Chairman  
          S. Proven, P.H.Ec., Member

**THE TOWN OF CARBERRY  
SEWER UTILITY  
REVENUE DEFICIT 2004**

**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 sewer utility of the Town of Carberry incurred a revenue deficit in the amount of \$5,328.68 in the year 2004;

**AND WHEREAS** it is proposed that the said revenue deficit be recovered from the accumulated cash surplus account of the utility;

**IT IS THEREFORE ORDERED THAT:**

1. The revenue deficit in the amount of \$5,328.68 incurred by the sewer utility of the Town of Carberry during the year 2004 BE AND THE SAME IS HEREBY APPROVED;
2. The said revenue deficit be recovered from the accumulated cash surplus account of the utility.

Fees payable upon this Order - \$50.00

THE PUBLIC UTILITIES BOARD

"GRAHAM F. J. LANE, C.A."  
Chairman

"G. O. BARRON"  
Secretary

Certified a true copy of Order  
No. 76/05 issued by The Public  
Utilities Board

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Secretary