

M A N I T O B A                    )     Order No. 129/07  
  )  
THE MUNICIPAL ACT                )     October 23, 2007

BEFORE:  Monica Girouard, C.G.A., Acting Chair  
          Susan Proven, P.H.Ec., Member

**THE TOWN OF NIVERVILLE**  
**FIFTH AVENUE ESTATES**  
**WATER UTILITY**  
**REVENUE DEFICIT 2006**

**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 utility of the Town of Niverville serving Fifth Avenue Estates incurred a revenue deficit in the amount of \$4,210.00 in the year 2006;

**AND WHEREAS** it is proposed that the said revenue deficit be recovered from accumulated cash surplus in the amount of \$3,011.00 and the balance from an anticipated surplus in 2007;

**IT IS THEREFORE ORDERED THAT:**

1. The revenue deficit in the amount of \$4,210.00 incurred by the water utility of the Town of Niverville serving Fifth Avenue Estates during the year 2006 BE AND THE SAME IS HEREBY APPROVED;
2. The said revenue deficit be recovered from accumulated cash surplus in the amount of \$3,011.00 and the balance from an anticipated surplus in 2007.

Fees payable upon this Order - \$150.00

THE PUBLIC UTILITIES BOARD

"MONICA GIROUARD"  
Acting Chair

"G. O. BARRON"  
Acting Secretary

Certified a true copy of Order  
No. 129/07 issued by The Public  
Utilities Board

\_\_\_\_\_  
Acting Secretary