

M A N I T O B A) Order No. 82/08
)
THE PUBLIC UTILITIES BOARD ACT) June 18, 2008

BEFORE: Graham Lane, CA, Chairman
 Monica Girouard, CGA, Member

PEMBINA VALLEY WATER COOPERATIVE INC.
RECONNECTION OF WATER SERVICES TO
ROSEAU RIVER FIRST NATION

Summary

The Public Utilities Board (Board) herein orders the Pembina Valley Water Cooperative Inc. (PVWC) to reconnect water services to the Roseau River First Nation (Roseau River or First Nation).

On Tuesday, June 17, 2008, PVWC disconnected water services to Roseau River. PVWC reports that the First Nation has not paid its water bill for four months.

While the Board has empathy for PVWC's responsibility to collect for services rendered, the Board's overriding concern is for the health and safety of the residents of Roseau River.

This Order is effective immediately.

Background

PVWC is a water cooperative whose members are 18 rural municipalities, which it serves. In addition to the municipalities, PVWC provides water services to Roseau River as well as a few smaller water cooperatives in the surrounding area.

While PVWC does not provide water distribution services directly to the residents of the various municipalities and other customers it serves, it does so indirectly. Therefore, PVWC is a public utility as defined in *The Public Utilities Board Act*. The Board's regulatory jurisdiction over PVWC is established by and described in that legislation.

Board Findings

Clearly, a water utility cannot operate effectively without collecting amounts due. Non-payment transfers responsibility to the other customers of PVWC, a transfer of cost neither fair nor reasonable.

The Board is dismayed with the appearance that the administrators of Roseau River have risked the health of their residents.

Both PVWC and the Board were placed in a quandary by the situation, a quandary that must be directly addressed given the health risks now present. Accordingly, the Board determines that the health and safety concerns of the residents of Roseau River override the immediate financial concern of PVWC.

The Board will also authorize appropriate reconnection charges and late payment penalties be levied on the First Nation as a result of the disconnection, and now reconnection. The amount is to be subject to approval by the Board.

The Board expects that Roseau River, PVWC, the Provincial and the Federal Governments will work in unison to quickly resolve the billing dispute.

IT IS THEREFORE ORDERED THAT:

1. Pembina Valley Water Cooperative Inc. immediately reconnect water services to Roseau River First Nation as of this date.
2. That Pembina Valley Water Cooperative Inc. submit to the Board for approval its proposed late payment, disconnect and reconnection fees.
3. Pembina Valley Water Cooperative Inc. is authorized to add late payment penalties and reconnection fees, as may be approved by the Board, to amounts outstanding from the Roseau River First Nation.

THE PUBLIC UTILITIES BOARD

"GRAHAM LANE, CA"
Chairman

"GERRY GAUDREAU, CMA"
Secretary

Certified a true copy of Order
No. 82/08 issued by The Public
Utilities Board

Secretary