

M A N I T O B A)
)
THE PUBLIC UTILITIES BOARD ACT) Order No. 123/09
) August 27, 2009

BEFORE: Graham Lane, CA, Chairman
 Susan Proven, P.H.Ec., Member

TOWN OF MORDEN
APPLICATION TO AMEND BY-LAW NO. 2-2009

Background

By Order 35/09 of April 2009, and after a public hearing in the Town of Morden (Town), the Public Utilities Board (Board) approved revised water and sewer rates effective June 1, 2009.

Included in the Town's application and consistent with its past practice, the Town proposed the following dispensation for metered water not returned to the sewer system for the Morden Research Station (Station).

"Notwithstanding Commodity Rates and Minimum Charges set forth in Section 2 hereof, Morden Research Station shall be charged the following rates:

Commodity Rates -	at the water and sewer rate set forth in the Commodity Rates for the first 1,000,000 gallons per quarter and at the applicable <u>water rate</u> only for all consumption in excess thereof."
-------------------	---

The Board approved the provision, noting:

"The Town advised that 60 - 65% of the water used by the Research Station is not returned to the sewer system."

Application

On July 8, 2009, the Town applied to the Board to amend its By-law 2-2009 (as set out in By-law No. 13-2009). The amendment deleted Clause 2.3, provision for the dispensation for metered water supplied to the Morden

Research Station, on the basis that the Town had been advised that the Station now returns the majority of the water back to the sewer system.

Given Board approval of its request, the Town estimated that the Station's quarterly bill would increase from approximately \$11,900.00 to \$13,817.00.

Pursuant to the Board's request, the Town sent a notice to the Station regarding the proposed amendment, with a request that the Station advise the Board of any concern or comment by August 23, 2009.

No response was received, and although Board staff followed-up by way of a telephone call to the Station, it was not returned.

Board Findings

The Board will approve the Application.

The provision put in place to assist the Station is no longer applicable as the Station has advised that it is returning the majority of water received from the Town's Utility to the sewer system.

To leave the situation as it is, would be to provide an unfair subsidy to the Station at the expense of other ratepayers.

The amendment is to apply on the next billing in the normal course.

Board decisions may be appealed in accordance with the provisions of Section 58 of *The Public Utilities Board Act*, or reviewed in accordance with Section 36 of the Board's Rules of Practice and Procedure (Rules). The Board's Rules may be viewed on the Board's website at www.pub.gov.mb.ca.

August 27, 2009
Order No. 123/09
Page 5 of 5

IT IS THEREFORE ORDERED THAT:

1. By-law No. 13-2009 of the Town of Morden BE AND IS
HEREBY APPROVED.

Fees payable upon this Order - \$50.00

THE PUBLIC UTILITIES BOARD

"GRAHAM LANE, CA"
Chairman

"GERRY BARRON, FCGA"
Acting Secretary

Certified a true copy of
Order No. 123/09 issued by
The Public Utilities Board

Acting Secretary