

M A N I T O B A) Order No. 164/09
)
THE PUBLIC UTILITIES BOARD ACT) December 8, 2009

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

RURAL MUNICIPALITY OF MINIOTA
LOCAL IMPROVEMENT DISTRICT NO. 1 (MINIOTA)
SEWER UTILITY
ANTICIPATED DEFICIT 2009

WHEREAS Section 165(2) of *The Municipal Act*, SM 1996, c. 58, as amended, provides:

"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 Rural Municipality of Miniota serving Local Improvement District No. 1 (Miniota) anticipates incurring a deficit during the 2009 year in the sewer utility in an amount estimated at \$2,971.41;

AND WHEREAS the said cause of the anticipated deficit is a result of the amortization expense of utility assets and the interest portion of the debenture debt payment;

AND WHEREAS it is proposed that the said deficit be recovered from the utility's accumulated surplus;

AND WHEREAS rates were last reviewed in 2008.

IT IS THEREFORE ORDERED THAT:

1. The 2009 anticipated deficit of the sewer utility of the Rural Municipality of Miniota serving Local Improvement District No. 1 (Miniota) estimated at \$2,971.41, for the purposes set out herein, BE AND THE SAME IS HEREBY APPROVED to be recovered from accumulated surplus, as requested.
2. The Rural Municipality of Miniota file with the Public Utilities Board a copy of a resolution of council, the final amount of the deficit incurred in 2009, no later than April 1, 2010.
3. If, at the end of the year, the actual amount of the deficit exceeds \$10,000 or 5% of the utilities operating budget, or if the cause of the deficit differs from that approved herein, the Rural Municipality of Miniota serving Local Improvement District No. 1 (Miniota) shall advise the Board by no later than April 1, 2010 and seek the Board's approval for recovery thereof.
4. The Rural Municipality of Miniota review the rates of the sewer utility for adequacy and provide a report to the Public Utilities Board, no later than September 30, 2010.

Fees payable upon this Order - \$150.00

THE PUBLIC UTILITIES BOARD

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

"KRISTINE SHIELDS"
Acting Secretary

Certified a true copy of
Order No. 164/09 issued by
The Public Utilities Board

Acting Secretary

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.