

MANITOBA) Order No. 101/10
)
THE PUBLIC UTILITIES BOARD ACT) October 7, 2010

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

RURAL MUNICIPALITY OF SOUTH NORFOLK (LAVENHAM)
REVISED WATER RATES

Executive Summary

By this Order, the Public Utilities Board (Board) approves on an interim *ex parte* basis an application from the Rural Municipality of South Norfolk (RM).

Schedule "A" of By-law 2483/2009 is to be amended by adding the following (as the last sentence in Clause 4):

4. Disconnection:

"This is not a seasonal system therefore all properties will still be responsible for the quarterly utility levy as this utility is based on flat rates and not volume."

Application

By Order 159/09, issued December 2009, the Board established revised rates and approved the recovery of the 2009 operating deficit (\$6,891) for the Lavenham utility. (The Order may be found on the Board's website: www.pub.gov.mb.ca.)

The actual 2009 deficit, at \$2,864, was far less than anticipated. As required, the RM amended its by-law and adjusted the extension of the quarterly recovery (\$43) from the period January 2010 to October 2011 to January 2010 to September 2010, with the final quarterly payment to be \$14.22 in October 2010.

In August 2010, the RM submitted amending By-law 2495/2010, requesting the Board approves the amendment which adds a

sentence to its disconnection clause to deal with requests to disconnect service for seasonal use.

The RM noted:

"It has been brought to our attention that there are several homes in Lavenham that are only occupied in the summer and therefore we have received a request to have the water turned off."

The RM indicated that at least one customer sought service be disconnected for the winter months, expecting that the customer would not be required to pay quarterly bills for those months.

The Lavenham utility provides water-only services to 19 customers by way of a flat rate (the system is not metered). The service is not seasonal in nature, and the RM expects all connected customers to meet annual operating costs.

Board Findings

The request of the RM is reasonable and the Board will approve the RM's request. This matter may be reviewed in more detail upon the next rate application review.

On an interim basis, the Board agrees with the RM that the system is not seasonal (all properties have an option to access water services year round). Whether a particular customer chooses to occupy his/her premises during the winter months is beyond the control of the RM.

If even one customer was permitted to disconnect services and

avoid quarterly levies, the remaining customers would be required to cover the costs.

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, available on the Board's website.

IT IS THEREFORE ORDERED THAT:

1. By-law No. 2495/2010 of the Rural Municipality of South Norfolk (Lavenham Utility) be approved as submitted, this amends Schedule "A" to By-law No. 2483/2009 by adding the following (as the last sentence in Clause 4):

Disconnection:

"This is not a seasonal system therefore all properties will still be responsible for the quarterly utility levy as this utility is based on flat rates and not volume."

2. The Rural Municipality of South Norfolk files a certified copy of By-law No. 2495/2010 with the Public Utilities Board (once it has received third and final reading).

Fees payable upon this Order - \$150.00

THE PUBLIC UTILITIES BOARD

"GRAHAM LANE, CA"

Chairman

"KRISTINE SHIELDS"

Acting Secretary

Certified a true copy of Order No.
101/10 issued by The Public
Utilities Board

Acting Secretary