

M A N I T O B A) Order No. 146/10
)
THE PUBLIC UTILITIES BOARD ACT) December 31, 2010

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

RURAL MUNICIPALITY OF ROSSER
RURAL MUNICIPALITY OF ROCKWOOD
INTERIM LAGOON TIPPING FEES

Executive Summary

By this Order, the Public Utilities Board (Board) approves, on an interim *ex parte* basis, lagoon tipping fees and other charges for the Rockwood Rosser Wastewater Treatment Lagoon (Lagoon) owned by the Rural Municipalities of Rosser(Rosser) and Rockwood (Rockwood).

Rates are effective as of January 1, 2011:

	Interim
Initial Access Fee	\$150.00
Annual Licence Fee	\$50.00
Disposal Fee based on 85% capacity of the septic tank	\$1.50/kilolitre
Remote Replacement (to open the gate for the lagoon	\$100.00

Rosser and Rockwood will be required to provide public notice of these interim rates and the support therefore to customers, with an invitation to ratepayers to file any concerns with the Public Utilities Board.

Background

In Order 26/10, the Board varied an application by the two municipalities for water and sewer rates for the Grosse Isle and Rural Regional Water System. Through that order, the Board required Rosser and Rockwood to file an application for lagoon tipping fees. Order 26/10 can be viewed on the Board's website: www.pub.gov.mb.ca.

Backlog

Because of changes to accounting standards mandated by the Public Sector Accounting Board (PSAB) changes, the number of municipal utility applications for rate changes have increased substantially.

The Board has a limited staff to undertake reviews, which have been made more complex by the accounting changes. While the Board is expending additional time in reviewing each application, towards ensuring accuracy and completeness, in an effort to minimize delays, the Board has implemented a 'quick review process' that relies upon municipalities. This process applies to utility rate applications received by the Board between June 1 and November 1 of 2010.

For these applications, the Board is undertaking a somewhat cursory initial review. Based on the information provided, the Board's general understanding of the specific utility, and utilities in general, the implications of PSAB and Board accounting guidelines, interim *ex parte* rates (*ex parte* means without public notice) will be established. These interim rates may not be those sought by the utility.

Following this Order, the Board will undertake a further review, which will include an opportunity to hear from customers. This will be followed by a final order of the Board.

Application

Rosser and Rockwood applied for lagoon tipping fees as set out in Rosser By-law No. 3-10 (read the first time on March 23, 2010) and Rockwood By-law No. 20-10 (first read May 12, 2010).

Rockwood's by-law was submitted without the amendments as are included in Rosser's by-law. As Rosser submitted its application ahead of Rockwood's and provides supporting information, what follows is a summary of Rosser's application and by-law.

The application is to establish initial tipping fees for the Lagoon which is a component of the Grosse Isle Rural Regional Water system. The lagoon is located in Rosser and construction was jointly funded

with Rockwood. Rosser is responsible for the day to day operations including the collection of fees and reports. The Environmental Licence was issued to Rosser.

The Lagoon's gated entrance will be controlled with a remote control. An opener is assigned to an operator and a specific vehicle; each opening is recorded. This record will then be used to invoice tipping fees and confirm the operators monthly reports.

The bylaw was circulated to Septic Hauler Operators for comment.

The RMs proposed the following rates:

	Proposed
Initial Access Fee	\$150.00
Annual Licence Fee	\$50.00
Disposal Fee Based on 85% of septic tank capacity	
2010	\$1.50/kilolitre
January 1, 2011	\$2.00/kilolitre
January 1, 2012	\$2.50/kilolitre
Remote Replacement	\$100.00

Board Findings

From the information submitted, the Board will approve interim rates as proposed for 2010, and the other terms and conditions for service as set out in each municipality's respective by-laws, to be effective January 1, 2011. Rockwood will be required to amend its bylaw further, to be consistent with the terms and conditions of Rosser's by-law.

All customers of a utility, including users of the lagoon, should contribute to the costs of operating the lagoon.

The Board makes this interim decision, despite the fact additional information is required and public notice has yet to be issued.

Rosser and Rockwood will be required to respond to questions of the Board, and to provide public notice prior to final rates being confirmed.

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.

IT IS THEREFORE ORDERED THAT:

1. The Rural Municipality of Rosser By-law 3-10 BE AND IS HEREBY APPROVED as amended and on an interim exparte basis, with interim rates to be effective as of January 1, 2011 as noted herein.
2. The Rural Municipality of Rockwood By-law #20-10 BE AND IS HEREBY APPROVED as amended and on an interim exparte basis, with interim rates to be effective as of January 1, 2011 as noted herein.
3. The Rural Municipalities of Rosser and Rockwood files a copy of their respective By-laws with the Public Utilities Board once they have received third and final reading.
4. The Municipalities of Rosser and Rockwood provides notice (to be prepared by the Public Utilities Board) of their application to customers and of the interim rates as soon as possible.

Fees payable upon this Order - \$150.00

THE PUBLIC UTILITIES BOARD

"GRAHAMLANE, CA"

Chairman

"KRISTINE SHIELDS"

Acting Secretary

Certified a true copy of Order No.
146/10 issued by The Public Utilities
Board

Acting Secretary