

M A N I T O B A                    )     Order No. 28/11  
  )  
THE PUBLIC UTILITIES BOARD ACT    )     February 18, 2011

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

THE RURAL MUNICIPALITY OF ELTON  
ELTON WATER UTILITY  
INTERIM WATER RATES  
EFFECTIVE DECEMBER 1, 2010

**WHEREAS,** the Rural Municipality of Elton (RM) applied to the Public Utilities Board (Board) for approval of interim water rates set out in the RM's By-law No. 1418;

**AND WHEREAS,** in 2010, a rural waterline was installed by the Whitehead-Elton Regional Water Cooperative (WERC) in conjunction with Manitoba Water Services Board (MWSB), with MWSB operating WERC through agreements with the Municipalities of Whitehead and Elton;

**AND WHEREAS** customers were connected and began consuming water from the service in mid-December 2010, and MWSB has been charging a base rate of \$8.00/1,000 gallons to WERC (from the date connections were made);

**AND WHEREAS** the RM is seeking approval from the Board to charge customers an interim rate retroactively to the date of connection, consumption billed based on newly installed water meters;

**AND WHEREAS** the RM has engaged a consultant to review the rate requirements of the municipality, towards filing a full rate application with the Board by April 2011;

**AND WHEREAS** the RM proposes an interim rate of \$8.25 per 1,000 gallons and a quarterly service charge of \$8.85;

**AND WHEREAS** the RM held a public hearing (on March 1, 2010) and distributed information to prospective future customers of the new utility prior to connections being made, advising that the

initial rate was expected to be \$10.00 per 1,000 gallons;

**AND WHEREAS** the Board deems it in the public interest to set rates on an interim *ex parte* basis to avoid the development of operating deficits and the incurring of additional regulatory costs that would have to be reflected in rates, the Board will approve the interim rate per 1,000 gallons and service charge as proposed by the RM.

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 [www.pub.gov.mb.ca](http://www.pub.gov.mb.ca)).

**IT IS THEREFORE ORDERED THAT:**

1. Rates, charges and terms for the Rural Municipality of Elton waterline utility, as set out in Schedule A to this Order, BE AND IS HEREBY APPROVED effective on an interim basis *ex parte* basis retroactive to December 1, 2010.
2. The Rural Municipality of Elton provide a copy of rate By-law No. 1418 to the Public Utilities Board after it has received third and final reading.
3. The Rural Municipality of Elton submits a complete rate study to the Public Utilities Board no later than April 30, 2011.

Fees payable upon this order - \$150.00

THE PUBLIC UTILITIES BOARD

"GRAHAM LANE, CA"  
Chairman

"H. M. SINGH"  
Secretary

Certified a true copy of Order No.  
28/11 issued by The Public  
Utilities Board

\_\_\_\_\_  
Secretary

**SCHEDULE "A"**  
**TO BOARD ORDER NO. 28/11**  
**RURAL MUNICIPALITY OF ELTON**  
**WATER RATES**  
**BY-LAW NO. 1418**

SCHEDULE OF QUARTERLY RATES:

**1. Commodity rates per M.G.**

	<u>Water</u>	<u>Administration Fee</u>	<u>Total</u>
All water consumption	\$8.00	\$0.25	\$8.25

**2. Minimum Charges, Quarterly**

Notwithstanding the Commodity rates set forth in paragraph 1 hereof, all customers will pay the applicable minimum charges set out below, which will include water allowances indicated:

<u>Meter Size</u>	<u>Group Capacity Ratio</u>	<u>Water Included, Gallons</u>	<u>Customer Service Charge</u>	<u>Commodity Charges Water</u>	<u>Total Quarterly Minimum</u>
<u>Water Only Customers</u>					
5/8"	1	3,000	\$ 8.85	\$24.75	\$33.60
3/4"	2	6,000	8.85	49.50	58.35
1"	4	12,000	8.85	99.00	107.85
1 1/2"	10	30,000	8.85	247.50	256.35
2"	25	75,000	8.85	618.75	627.60

**3. Service to Customers outside Municipality limits**

The Rural Municipality of Elton reserves the right to sign agreements with customers outside the Rural Municipality of Elton to connect to the utility. The agreement shall provide for payment of the appropriate rates set out in this Schedule, plus a surcharge, set by resolution of Council, which shall be the equivalent to the frontage levy, general taxes, and special taxes for utility purposes in effect at the time, or which may be in effect from time to time, and which would be levied on the property concerned if it were within these boundaries. In addition, all costs of connecting to the utility's mains and installing and maintaining service connections will be paid by the customer.

#### **4. Disconnection**

The Public Utilities Board has approved Conditions Precedent to be followed by the municipality with respect to the disconnection of service for non-payment including such matters as notice and the right to appeal such action to the Public Utilities Board. A copy of the Conditions Precedent is available for inspection at the Municipal office.

#### **5. Reconnection Fee**

A customer who has had his service disconnected for any reason shall not be reconnected until all regulations have been complied with, and all arrears paid, as well as any penalties and a reconnection fee of \$25.00.

#### **6. Billing & Penalties**

A late payment charge of 1¼% shall be charged on the dollar amount owing after the billing due date. The due date will be at least fourteen days after the mailing of the bills.

#### **7. Outstanding Bills**

##### **Elton Municipal Customers:**

Pursuant to Section 252 (2) of The Municipal Act, the amount of all outstanding charges for water service for Elton municipal customers are a lien and charge upon the land serviced, and shall be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.

##### **Non-Elton Municipal Customers:**

Pursuant to an agreement entered into between the Rural Municipality of Elton and the Rural Municipality of Daly, the amount of all outstanding charges for water service for non-Elton municipal customers shall be billed to the Rural Municipality of Daly under the provisions of the agreement, a copy of which is attached hereto as Schedule "B".

#### **8. Water Allowance Due to Line Freezing**

That in any case where, at the request of the Council, a customer allows water to run continuously for any period of time to prevent the water lines in the water system from freezing, the charge to that customer for the current quarter shall be the average of the billings for the last two previous quarters to the same customer, or to the same premises if the occupant has changed.