

M A N I T O B A                    )     Order No. 3/11  
  )  
THE PUBLIC UTILITIES BOARD ACT    )     January 05, 2011

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

RURAL MUNICIPALITY OF FISHER  
INTERIM WATER AND SEWER RATES

**WHEREAS**, by Order 78/09 the Public Utilities Board (Board) declared the sewer system serving Local Improvement District Nos. 1 and 2 of the Rural Municipality of Fisher (RM) to be a public utility (and required the RM to file a rate study with the Board by November 2009);

**AND WHEREAS** rates for the RM's water utility were initially set in 1998 (by Order 56/98) and had not been reviewed since that time;

**AND WHEREAS** the RM filed a rate study in May 2010;

**AND WHEREAS** the RM has yet to fully support its application with responses to questions posed by the Board;

**AND WHEREAS** Notice of the RM's Application (to be circulated by the RM, with an invitation to customers to write the Board with objections by December 1, 2010) was approved by the Board on October 22, 2010;

**AND WHEREAS** following the issuance of said Notice, the Board received one letter of concern from a ratepayer (dated December 1, 2010, which the RM responded to in a letter dated December 13, 2010);

**AND WHEREAS** the concern was with respect to a Car Wash operated by the Ukrainian Farmers Cooperative in Fisher Branch, which contended that because the pit of its car wash is pumped-out weekly, and that amount of water did not reach the sewer system,

the charge proposed by the RM, that being two times that of a residential customer, was too high;

**AND WHEREAS** the RM responded that the weekly pumping removed sludge (so as to minimize build-up in the catch-basin), a normal maintenance procedure for car washes, and as the overflow from the pit enters the sewer system, that the RM did not agree that the proposed charge should be reduced;

**AND WHEREAS** the Board agrees with the RM's approach to the application of rates to the car wash;

**AND WHEREAS** while the Board has reviewed the RM's proposed rates, in the absence of a full response from the RM to the Board as to the Board's pre-asked questions, the Board is not prepared to issue a final rates order but will set rates as of January 1, 2011 on an interim basis; and

**AND WHEREAS** 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 Fisher's water and sewer utility, as set out in Schedule A to this Order, BE AND IS HEREBY APPROVED effective on an interim basis as of January 1, 2011.
2. The Rural Municipality of Fisher give final reading to By-law No. 1130/10 (to be consistent with the attached Schedule A).
3. The Rural Municipality of Fisher file a copy of By-law No. 1130/10 with the Public Utilities Board (once it has received third and final reading), no later than January 31, 2011.
4. The Rural Municipality of Fisher submit responses to the questions raised in the Public Utilities Board's letter dated October 22, 2010, and file with the Board the required affidavit of publishing, posting and mailing the Notice of Application, by no later than January 31, 2011.

Fees payable upon this order - \$500.00

THE PUBLIC UTILITIES BOARD

"GRAHAM LANE, CA"

Chairman

"KRISTINE SHIELDS"

Acting Secretary

Certified a true copy of Order No.  
3/11 issued by The Public  
Utilities Board

\_\_\_\_\_  
Acting Secretary

**SCHEDULE "A"**  
**TO PUBLIC UTILITIES BOARD ORDER No. 3/11**  
**THE RURAL MUNICIPALITY OF FISHER**  
**WATER AND SEWER RATES**  
**BY-LAW NO. 1030/10**

SCHEDULE OF QUARTERLY RATES:

1. Commodity rates per M.G.

	<u>Water</u>	<u>Sewer</u>	<u>Water &amp; Sewer</u>
All water consumption	\$5.20	\$4.60	\$9.80

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:

(a) Water and Sewer Customers

Meter	Group Capacity	Water Include	Customer Service	<u>Commodity Charges</u>		Total Quarterly
<u>Size</u>	<u>Ratio</u>	<u>Gallons</u>	<u>Charge</u>	<u>Water</u>	<u>Sewer</u>	<u>Minimum</u>
5/8"	1	3,000	\$15.50	\$15.60	\$13.80	\$44.90
¾"	2	6,000	\$15.50	\$31.20	\$27.60	\$74.30
1"	4	12,000	\$15.50	\$62.40	\$55.20	\$133.10
1½'	10	30,000	\$15.50	\$156.00	\$138.00	\$309.50
2"	25	75,000	\$15.50	\$390.00	\$345.00	\$750.50

(b) Water Only Customers

Minimum charge will be the same for each meter size as shown above, but the Sewer Commodity Charge will be excluded.

(c) Sewer Only for Residential Customers

The Rural Municipality of Fisher do charge the owners or occupants of land serviced with sewer but no water the sum of \$96.50 per quarter (17,600 gallons x \$4.60/1,000 gallons + \$15.50 = \$96.50).

(d) Sewer Only for Car Wash

The Rural Municipality of Fisher do charge the owners of the Car Wash that is serviced with sewer but not water the sum of \$177.40, which is an amount equivalent to two times that of a residential property as noted above in (c) (35,200 x \$4.60/1,000 gallons + \$15.50 = \$177.40).

3. Bulk Sales Rate

All water sold in bulk by the Rural Municipality of Fisher shall be charged for at the rate of \$7.50 per 1,000 gallons on a pro-rated basis for all quantities greater than 500 gallons. For any quantity of 500 gallons or less, the minimum charge will be \$1.50 per 200 gallons.

4. Service to Customers Outside Municipality, Town, or L.I.D., Limits

The Council of Rural Municipality of Fisher may sign agreements with customers for the provision of water and sewer services to properties located outside the legal boundaries of Local Improvement Districts Nos. 1 and 2 in Fisher Branch. Such agreements shall provide for payment of the appropriate rates set out in the schedule, as well as a surcharge, set by resolution of Council, which shall be equivalent to the frontage levy, general taxes and special taxes for utility purposes in effect at the time, or 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.

5. Billings and 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.

6. Disconnection

The Public Utilities Board has approved the 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 Rural Municipality of Fisher Office.

7. Reconnection

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$30.00 have been paid.

8. Outstanding Bills

Pursuant to Subsection 252(2) of *The Municipal Act*, the amount of all outstanding charges for water and sewer service 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.

9. Hydrant Rentals

The Rural Municipality of Fisher will pay to the utility an annual rental of \$ 150.00 for each hydrant connected to the system.

10. 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.

11. Sewage Surcharges

(a) There may be levied annually, in addition to rates set forth above, a special surcharge on sewage having a Biochemical Oxygen Demand in excess of 300 parts per million, to be set by resolution of Council.

(b) A special surcharge for substances requiring special treatment shall be charged based on the actual costs of treatment required for the particular sewage or industrial wastes.