

M A N I T O B A        )     Order No.     118/12  
                                  )  
THE PUBLIC UTILITIES BOARD ACT)     August 31, 2012

BEFORE: Susan Proven, P.H.Ec, Acting Chair  
          Raymond Lafond, B.A.,C.M.A.,F.C.A., Member

RURAL MUNICIPALITY OF MOUNTAIN  
BIRCH RIVER UTILITY  
INTERIM WATER AND SEWER RATES - 2012  
APPLICATION TO REVIEW AND VARY BOARD ORDER NO 108/12

**Summary:**

The Rural Municipality of Mountain (RM) has requested that the Public Utilities Board (Board) reconsider the effective date of revised rates established by Board Order 108/12, which established Interim rates for the RM's water and sewer utility.

After review, the Public Utilities Board (Board) varies Order 108/12 to amend the effective date of the Interim rates to October 1, 2012.

**Background:**

On August 16, 2012 the Board issued Order 108/12 setting interim rates effective as of July 1, 2012. The Board approved the rate increase on an ex parte basis to minimize deficits being incurred by the Utility.

**Request to Review and Vary:**

The RM submitted a copy of Resolution No. 257/12 dated August 22, 2012, passed by Council. This Resolution requests that the Public Utilities Board review and vary the effective date of Order No. 108/12 to October 1<sup>st</sup>, 2012.

In its covering letter to the Board, the RM sought that the Board consider the unintentional hardship created by the Order and review and vary the effective date of the interim rates as set in Board Order 108/12.

The RM requested the Board consider the following:

- 1) the RM bills quarterly, in advance;
- 2) the July to September 2012 billing had already been issued prior to Order No. 108/12 being received on August 16, 2012; and
- 3) the RM has software limitations and is unable to re-bill customers mid-cycle; it would be labour intensive to manually adjust Utility accounts individually.

**Board Findings:**

After considering the information filed and Board Order 108/12, the Board concludes that the Order is to be varied and the interim rates approved by Board Order 108/12 be effective as of October 1, 2012.

While the Board remains concerned about Utility deficits, and the fact that further delaying the rate increase may adversely affect the 2012 operating results, the Board understands and accepts the practical issues raised 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 (Rules). The Board's Rules may be viewed on the Board's website at [www.pub.gov.mb.ca](http://www.pub.gov.mb.ca).

**IT IS HEREBY ORDERED THAT:**

Clause 1 of Public Utilities Board Order 108/12 BE AND IS  
HEREBY VARIED as follows:

1. The Rural Municipality of Mountain By-law 01/12 BE AND IS  
HEREBY APPROVED on an interim *ex parte* basis, with the  
revised water rates and initial sewer rates to be  
effective October 1, 2012.

THE PUBLIC UTILITIES BOARD

"Susan Proven, P.H.Ec,."  
Acting Chair

"Kurt Simonsen"  
Acting Secretary

Certified a true copy of  
Order No. 118/12 issued by  
The Public Utilities Board

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Acting Secretary