

M A N I T O B A) Order No. 121/12
)
THE PUBLIC UTILITIES BOARD ACT) September 12, 2012

BEFORE: Susan Proven, P.H.Ec., Acting Chair
Robert Warren, MBA, Member
Regis Gosselin, BA, MBA, CGA, Chair

TOWN OF LAC DU BONNET
APPLICATION FOR REVISED WATER AND SEWER RATES
APPLICATION FOR INTERVENER STATUS AND
TIMETABLE FOR PUBLIC HEARING OF OCTOBER 4, 2012

Executive Summary

This procedural Order relates to the Town of Lac du Bonnet's Application for revised water and sewer rates. By this Order, the Public Utilities Board (Board) grants Intervener status to Mr. Ted Mathers and Mr. Gordon Peters and sets out the timetable, the process for receiving submissions by the Board and the scope of the proceedings.

Background

On November 22, 2010 the Town of Lac du Bonnet (Town) filed an Application with The Public Utilities Board (Board) for approval of revised water and sewer rates as set out in By-law No. 115/10, read the first time on October 14, 2010.

A Public Hearing is to be held in the Town on October 4, 2012.

Notice of the Application and the Public hearing was published in the local newspaper on July 20, 2012 and posted in several prominent locations.

The Notice requested parties to advise the Board by no later than August 7, 2012 regarding their intention to participate as Interveners.

Application for Intervener Status

On August 3, 2012 Mr. Ted Mathers applied to the Board for Intervener status and completed the requested Intervener Request Form. Mr. Mathers advised in his intervention he intends to

address the issue of fair and equitable rates including revenue requirements, connection fees, system development charges, the Applicant's rate study, financial matters of the utility, sewage charges, operational considerations, historical water agreements and other issues that may affect the long-term financial integrity of the utility.

Mr. Mathers intends to appear throughout the hearing, participate in the production of evidence and in the testing of evidence and to present final argument. Mr. Mathers will not be applying for costs.

On August 7, 2012 Mr. Gordon Peters applied to the Board for Intervener status and completed the requested Intervener Request Form. Mr. Peters advised in his intervention he intends to address the issue of fair and equitable rates, conditions for all end users and full cost recovery.

Mr. Peters intends to appear throughout the hearing, participate in the production of evidence and in the testing of evidence and to present final argument. Mr. Peters will not be applying for costs.

On August 7, 2012 Mr. Mathers and Mr. Peters' applications for Intervener status were forwarded to the Town for response.

On August 16, 2012 the Town advised the Board by email correspondence that they had concerns with the granting of Intervener status to Mr. Mathers. This was followed by a letter on September 7, 2012 from the Town's Counsel. Counsel for the Town of Lac du Bonnet advised the Board of the Town's objection to the two

Intervener applications submitted by Mr. Ted Mathers and Mr. Gordon Peters.

The Town of Lac du Bonnet opposed Mr. Mathers' application for Intervener status on the basis the intervention application is extensive, involving a number of issues that require detailed knowledge and expertise of which the Intervener does not possess. The Town believes all issues raised by Mr. Mathers could be made by a presentation to the Board.

Likewise, the Town of Lac du Bonnet opposed Mr. Peters' application for Intervener status on the basis the intervention is extensive and would require detailed knowledge and expertise which the Intervener does not possess. Again, the Town believed all issues raised by Mr. Peters could be addressed in a presentation to the Board.

Board Findings

The Board has reviewed the written requests of both Mr. Ted Mathers and Mr. Gordon Peters and the submission from the Town of Lac du Bonnet opposing the granting of Intervener status. The Board is satisfied that both Interveners have an understanding of the issues to be addressed in the Application. The Board also believes Mr. Mathers and Mr. Peters may provide relevant material to aid in the decision of the Board on this matter.

Accordingly, the Board will grant Mr. Mathers and Mr. Peters joint Intervener status, noting they have no intention of applying for costs.

For the purpose of this hearing, the joint Interveners will be asked to file their submission by email with the Board and Applicant by September 25, 2012. The Applicant's comments on the Joint Intervener submission, if any, should be filed with the Board and joint Interveners by email by October 2, 2012.

The Board asks that the Joint Intervener submission be confined to the rate Application before the Board as filed by the Applicant.

Timetable for the Hearing

The following timetable has been adopted by the Board for receiving of the Joint Intervener submission.

1. Confirmation of Joint Intervener Status and Timetable.	September 12, 2012
2. Joint Intervener submission to be filed with the Board and Applicant.	September 25, 2012
3. Applicant's response to Joint Intervener submission to be filed with Board and Interveners.	October 2, 2012
4. Hearing to commence	October 4, 2012

The Board requests all parties co-operation with strict adherence to the timetable.

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. Joint Intervener status be granted to Mr. Ted Mathers and Mr. Gordon Peters.
2. The Timetable for the Hearing be as follows:

1. Confirmation of Joint Intervener Status and Timetable.	September 12, 2012
2. Joint Intervener submission to be filed with the Board and Applicant.	September 25, 2012
3. Applicant's response to Joint Intervener submission to be filed with Board and Interveners.	October 2, 2012
4. Hearing to commence	October 4, 2012

THE PUBLIC UTILITIES BOARD

"SUSAN PROVEN, P.H.Ec."
Acting Chair

"JENNIFER DUBOIS, CMA"
Acting Secretary

Certified a true copy of Order
No. 121/12 issued by The Public
Utilities Board

Acting Secretary