

M A N I T O B A) Order No. 45/13
)
THE PUBLIC UTILITIES BOARD ACT) April 30, 2013

BEFORE: Susan Proven, P.H.Ec., Acting Chair
Marilyn Kapitany, B.Sc. (Hons.), M.Sc., Member

ORDER VARYING BOARD ORDER NO. 31/13
FOR
RURAL MUNICIPALITY OF MOUNTAIN
L.U.D. OF MAFEKING WATER DISTRIBUTION
INTERIM RATES - 2013

Summary:

By this Order, the Public Utilities Board (Board) will vary the interim bulk water rates for the Local Urban District of Mafeking, within the Rural Municipality of Mountain (RM) from \$14.00 per 1,000 gallons to \$12.00 per 1,000 gallons. The interim rates were approved In Board Order No. 31/13.

Background:

On March 25, 2013 the Board issued Order No. 31/13 setting rates on an interim *ex parte* basis. Subsequent to the Order being issued, the RM discovered that the coin operated truck fill mechanism is only capable of charging either \$12.00 or \$16.00 per 1,000 gallons of bulk water. A request to review and vary Board Order No. 31/13 was submitted to the Board.

Request to Review and Vary:

The RM submitted a request on April 9, 2013 to vary Board Order No. 31/13, amending the rates for bulk water rates set at \$14.00 per 1,000 gallons. The bulk water rates of \$12.00 per 1,000 gallons for the first twelve (12) months and \$16.00 per 1,000 gallons thereafter were requested. The request was accompanied by Council resolution #131/13, dated April 8, 2013.

In its covering letter to the Board, the RM sought the Board's approval to amend the bulk water rate to accommodate the coin operated truck fill mechanism in operation.

Board Findings:

In review of the LUD of Mafeking's By-law No. 04/12, the Board notes that though the change will affect the bulk water revenues, the amount of this change is minimal and in keeping with the industry standard.

After considering the information filed and Board Order No. 31/13, the Board concludes that the Order is to be varied and the rate for bulk water set at \$12.00 per 1,000 gallons for the first twelve (12) months and \$16.00 per 1,000 gallons thereafter.

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.

IT IS HEREBY ORDERED THAT:

1. The Local Urban District of Mafeking's request to vary section No. 4 of Schedule "A" to the Public Utilities Board Order No. 31/13 as set out in Schedule "A" to this Order, BE AND IS HEREBY APPROVED with the revised bulk water rates of \$12.00 per 1,000 gallons effective April 1, 2013 and \$16.00 per 1,000 gallons effective April 1, 2014.
2. The Local Urban District of Mafeking amend its water and sewer rate By-law for the Water and Sewer Utility to reflect the decisions in this Order and submit a copy to the Board once it has received third and final reading.

Fees payable upon this Order - \$150.00

THE PUBLIC UTILITIES BOARD

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

"JENNIFER DUBOIS, CMA"
Acting Secretary

Certified a true copy of
Order No. 45/13 issued by

Acting Secretary

SCHEDULE "A"

TO BOARD ORDER NO. 45/13

**RURAL MUNICIPALITY OF MOUNTAIN
 LOCAL URBAN DISTRICT OF MAFEKING**

BY-LAW NO. 04/12

SCHEDULE OF QUARTERLY RATES

APRIL 1, 2013

1. Customer Service Charge
 The quarterly customer service charge shall be **\$20.80**

2. Commodity Rates
 The commodity rate for all water consumption shall be based on one residential equivalency unit and pro-rated in accordance with the Schedule of Minimum Quarterly Charges as detailed in Clause 3 hereafter.
 Water commodity rate for one residential equivalent unit shall be **\$66.95**

3. Schedule of Minimum Quarterly Charges

Customer	REU's	Customer Service Charge	Commodity Charge	Total Quarterly Charge
Residential	1.0	\$20.80	\$66.95	\$87.75
Commercial I	1.3	\$20.80	\$87.04	\$107.84
Commercial II	2.0	\$20.80	\$133.90	\$154.70
Commercial III	4.0	\$20.80	\$267.80	\$288.60
Commercial IV	5.0	\$20.80	\$334.75	\$355.55
Ag Service	5.0	\$20.80	\$334.75	\$355.55
Hotel	10.0	\$20.80	\$669.50	\$690.30

4. Bulk Water Sales Rate
 Truck Fill Rate – per 1,000 gallons **\$12.00**
 Pail Fill Rate – per 1 gallon **\$0.25**

SCHEDULE OF QUARTERLY RATES

APRIL 1, 2014

1. Customer Service Charge
 The quarterly customer service charge shall be **\$26.70**

2. Commodity Rates
 The commodity rate for all water consumption shall be based on one residential equivalency unit and pro-rated in accordance with the Schedule of Minimum Quarterly Charges as detailed in Clause 3 hereafter.
 Water commodity rate for one residential equivalent unit shall be **\$75.77**

3. Schedule of Minimum Quarterly Charges

Customer	REU's	Customer Service Charge	Commodity Charge	Total Quarterly Charges
Residential	1.0	\$26.70	\$75.77	\$102.47
Commercial I	1.3	\$26.70	\$98.50	\$125.20
Commercial II	2.0	\$26.70	\$151.54	\$178.24
Commercial III	4.0	\$26.70	\$303.08	\$329.78
Commercial IV	5.0	\$26.70	\$378.85	\$405.55
Ag Service	5.0	\$26.70	\$378.85	\$405.55
Hotel	5.0	\$26.70	\$757.70	\$784.40

4. Bulk Water Sales Rate

Truck Fill Rate – per 1,000 gallons

\$16.00

Pail Fill Rate – per 1 gallon

\$0.25

Clause 5 – Rate Rider for Deficit Recovery – Effective September, 2012

5. In accordance with PUB Order #104/12 a rate rider of **\$23.75** per customer per quarter for 3 years, commencing September, 2012.

PUB Order #104/12 states:

“The actual 2009, 2010 and 2011 operating deficits, when calculated for regulatory purposes, of \$18,462 incurred in the Rural Municipality of Mountain – LUD of Mafeking Water and Sewer Utility, for the purposes set out herein, is HEREBY APPROVED to be recovered by a rate rider of \$95.00 per customer, per year for the term of three (3) years effective July 1, 2012”

Clauses 6 to 12 are Effective April 1, 2013

6. Service to Customers outside L.U.D. of Mafeking limits

The Council of the RM of Mountain may sign agreements with customers for the provision of water and sewer services to properties located outside the legal boundaries of the L.U.D. 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 connection to the Utility's mains and installing and maintaining service connections will be paid by the customer.

7. Billings and Penalties

Accounts shall be billed quarterly. A late payment penalty charge of 1 ¼% compounded monthly shall be charged on the dollar amount owing after the billing due date. The due date will be at least twenty (20) days after the mailing of the bills.

8. Disconnections
The Public Utilities Board has approved the Conditions Precedent to be followed by the RM 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 are available for inspection at the RM Office.
9. Reconnection
Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$50.00 have been paid.
10. Outstanding Bills
Pursuant to Section 252(2) of the Municipal Act, the amount of all outstanding charges for water and sewer services, including fines and penalties, 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 collectable, and with like remedies. Where charges and penalties pursuant to this by-law are not paid within sixty (60) days from the date when they were incurred, said charges and penalties shall be added to the taxes on the property and collected in the same manner as other taxes.
11. Hydrant Rentals
An annual charge of One Hundred Dollars (\$100.00) per hydrant shall be made by the utility to the Local Urban District of Mafeking for Fire Protection services, which annual charge shall include water used.
12. Cross Connections
No customer or person shall connect, cause to be connected or allow to remain connected any piping, fixture, fitting, container or appliance in a manner which under any circumstances may allow water, wastewater or any harmful liquid or substance to enter the L.U.D.'s water system.
If a condition is found to exist which, in the opinion of the RM, is contrary to the aforesaid, the RM may either:
 - Shut off the service or services; or
 - Give notice to the customer to correct the fault at his or her own expense within a specified time period. If the customer fails to comply with such notice the RM shall proceed in accordance with clause 1 of this section.