

**Order No. 140/22**

**PEMBINA VALLEY WATER COOPERATIVE INC.  
REVIEW AND VARY BOARD ORDER NO. 138/22**

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**December 30, 2022**

**BEFORE: Shawn McCutcheon, Panel Chair  
Irene Hamilton, K.C., Member**

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## 1.0 Executive Summary

By this Order, the Public Utilities Board (Board) varies Board Order No. 138/22 to include instructions for pass through rate approvals for the municipal member utilities (Utilities).

The reasons for the Board's decisions are under Board Findings.

## 2.0 Background

This Board Order is best read in conjunction with Board Order No. 138/22.

In Board Order No. 138/22, issued December 22, 2022, the Board approved revised water rates for the PVWC. Rates were approved effective January 1, 2023, January 1, 2024, January 1, 2025, January 1, 2026 and January 1, 2027.

The Board was contacted by one of the member municipality utilities of the PVWC, asking for information on the process for pass through rate increases, which the Board has allowed for Utilities since 2009.

The Board approves the following process for pass through rates for the member Utilities of the PVWC:

**Step 1.** The Utilities shall consider the implications of any wholesale water rate revision approved by PVWC, and determine whether or not the revision needs to be passed on to its ratepayers to maintain the adequacy of rates.

**Step 2.** If the rate revision is to be reflected in the rates of the Utilities, and with the one exception that changes in the rate of water losses in the system may also be included, the Utilities need only inform ratepayers/customers and the Board of the pass through rate change, **with a minimum of 90 days notice**. This Notice must include information for ratepayers on their ability to respond to the Board regarding the rate revision.

**Step 3.** If rates are to change for any other reason other than the exact wholesale rate revision, the Utilities must make a rate application to the Board. The Board may decide to proceed to hear the application by way of a paper-based process or by way of a public hearing.

**Step 4.** Should the Utilities decide to implement the pass through rate changes, the Utilities may only revise the water rate as a dollar amount, without mark-up, and not as a percentage. The Utilities must file an amended rate by-law with the Board and provide a notice of the change to its customers. The Board requires a copy of the notice that is sent by the Utilities to its customers prior to implementation of the revised rates.

### 3.0 Board Findings

The Board has reviewed the effective date of the revised rates, the notice requirements for the Utilities and the affidavit submitted by the PVWC attesting to the fact that the PVWC Notice of Application was published in eighteen (18) locations within all the member communities. The Board finds the effective date of January 1, 2023 remains appropriate, and waives the requirement for the Utilities to provide additional notice to ratepayers prior to implementation, as the Board finds the 90 days notice requirement satisfied by the PVWC notice.

#### 4.0 IT IS THEREFORE ORDERED THAT:

1. The Member Utilities of the Pembina Valley Water Cooperative BE AND ARE HEREBY given authority to pass through water rate revisions approved by the Public Utilities Board, adhering to the pass through process as outlined in this Board Order, and must apply to the Board for any other rate revisions.
2. The Board finds the 90 days notice requirement for ratepayers of the Member Utilities of the Pembina Valley Water Cooperative to be satisfied by the Notice posted by the Cooperative.

Fees payable upon this Order – waived

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. The Board's Rules may be viewed on the Board's website at [www.pubmanitoba.ca](http://www.pubmanitoba.ca).

THE PUBLIC UTILITIES BOARD

"Shawn McCutcheon"

Panel Chair

"Jennifer Dubois, CPA, CMA"

Assistant Associate Secretary

Certified a true copy of Order No. 140/22 issued  
by The Public Utilities Board



Assistant Associate Secretary