

Order No.33/23

**ORDER RESPECTING
THE CITY OF PORTAGE LA PRAIRIE
WATER AND WASTEWATER UTILITY
REQUEST TO REVIEW AND VARY
BOARD ORDER NO. 133/21**

March 21, 2023

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

1.0 Executive Summary

By this Order, the Public Utilities Board (Board) grants approval of the City of Portage la Prairie's (City) request to review the rates previously set in Board Order No. 133/21 for the City's Water and Wastewater Utility (Utility).

The Board grants approval to the City for revised rates effective July 1, 2023, and the resulting increases to the rates approved January 1, 2024 and 2025.

The revised rates are below:

	July 1, 2023	January 1, 2024	January 1, 2025
Water (per cubic meter) Step 1 - up to 227 cubic meters	\$ 2.10	\$ 2.38	\$ 2.64
Water (per cubic meter) Step 2 - 228 to 2,273 cubic meters	\$ 1.74	\$ 1.97	\$ 2.19
Water (per cubic meter) Step 3 - 2,274 to 18,184 cubic meters	\$ 1.65	\$ 1.87	\$ 2.07
Water (per cubic meter) Step 4 - over 18,184 cubic meters	\$ 0.70	\$ 0.79	\$ 0.89
Wastewater (per cubic meter) - Step 1 - up to 2,273 cubic	\$ 1.91	\$ 1.83	\$ 1.76
Wastewater (per cubic meter) - Step 2 - over 2,274 cubic meters	\$ 1.44	\$ 1.38	\$ 1.33
Quarterly Service Charge	\$ 22.33	\$ 22.51	\$ 22.69
Minimum Quarterly Charge*	\$ 78.47	\$ 81.45	\$ 84.29
Wastewater Only Customers**	\$ 108.28	\$ 104.86	\$ 101.89
Bulk Water (per 1,000 gallons)***	\$ 9.00	\$ 10.00	\$ 11.00
*Based on 14 cubic meters			
**Based on 45 cubic meters			
***Proposed revisions are to round off to the nearest dollar			

Details of other rates can be found in Schedule A.

Rationale for the Board's decisions may be found under Board Findings below.

2.0 Background

This Board Order is best read in conjunction with Board Order No. 133/21.

In Board Order No. 133/21, issued December 13, 2021, the Board granted approval for revised water and wastewater rates effective July 1, 2022, April 1, 2023 and January 1, 2024 and 2025.

3.0 Board Methodology

Request to Review and Vary

Pursuant to the Board's Rules of Practice and Procedure, and in particular, Rules 36(1) and 40(2) thereof, the Board may on application or on its own initiative review, rescind, change, alter or vary any decision or Order it has made. The Board's jurisdiction in that regard flows from section 44(3) of *The Public Utilities Board Act* (the *Act*).

In accordance with Rule 36(4), upon receipt of an application for review and variance, the Board is to determine, with or without a hearing, in respect of an application for review, the preliminary question of whether the matter should be reviewed and whether there is reason to believe the order or decision should be rescinded, changed, altered or varied.

After determining the preliminary question under Rule 36(4), pursuant to Rule 36(5), the Board may:

- a) Dismiss the application for review if,
 - i. In the case where the applicant has alleged an error of law or jurisdiction or an error in fact, the Board is of the opinion that the applicant has not raised a substantial doubt as to the correctness of the Board's order or decision; or

- ii. In the case where the applicant has alleged new facts not available at the time of the Board's hearing that resulted in the order or decision sought to be reviewed or a change of circumstances, the Board is of the opinion that the applicant has not raised a reasonable possibility that the new facts of change in circumstances, could lead the Board to materially vary or rescind the Board's order or decision; or
 - b) Grant the application; or
 - c) Order that a hearing or proceeding be held.

4.0 Application

On February 16, 2023, the City submitted a request that the Board review its decision made in Board Order No. 133/21 and revise the water and wastewater rates approved. The City submitted it is in the process of participating in the construction of a large, new treated water reservoir that the City's Utility will be responsible for operating. This will incur significant new costs related to the net capital amortization and operation of the reservoir and the 2020 utility rate study and Board Order No. 133/21 did not include any provision for construction and operation of this reservoir. The City also submitted it has experienced significant increases in chemical costs in the last two years, having a material impact on the Utility's ability to meet funding targets established in the 2020 utility rate study. The City submitted this evidence as new facts not available at the time of the Board's consideration of the application resulting in Board Order No. 133/21. The City also provided a Council Resolution supporting the request to the Board.

5.0 Board Findings

The Board has reviewed the City's request and grants the request to review its decision on the grounds of new facts not available at the time of the Board's consideration of the application resulting in Board Order No. 133/21. The Board has determined it will decide this application by way of the paper based review.

The Board acknowledges the changes to the revenue requirements are such that the City was able to isolate and propose rate revisions without requiring a full rate application. The Board grants approval of the rate revisions as proposed by the City.

6.0 IT IS THEREFORE ORDERED THAT:

1. The water and wastewater rates for the City of Portage la Prairie – Portage la Prairie Water and Wastewater Utility, approved in Board Order No. 133/21 BE AND IS HEREBY VARIED effective July 1, 2023, January 1, 2024 and 2025.
2. The City of Portage la Prairie prepare and distribute a Notice of Decision regarding the decisions found in this Order, published on or before May 31, 2023. A copy of the Notice and affidavit certifying publication must be submitted to the Board.
3. The City of Portage la Prairie amend its Utility rate By-law 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

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.

THE PUBLIC UTILITIES BOARD

"Shawn McCutcheon"
Panel Chair

"Jennifer Dubois, CPA, CMA"
Assistant Associate Secretary

Certified a true copy of Order No. 33/23 issued
by The Public Utilities Board


Assistant Associate Secretary

**CITY OF PORTAGE LA PRAIRIE
WATER & WASTEWATER UTILITY RATES BY-LAW NO.
SCHEDULE "A"
SCHEDULE OF QUARTERLY RATES**

1. Schedule of Commodity Rates & Quarterly Service Charge
Rates per Cubic Meter

July 1, 2023

<u>Cubic Meters per Quarter</u>	Water &		
	Water	Wastewater	Wastewater
Step 1 – Domestic, up to 227 CM	\$2.10	\$1.91	\$4.01
Step 2 – Intermediate, 228 CM to 2,273 CM	\$1.74	\$1.91	\$3.65
Step 3 – Wholesale, 2,274 CM to 18,184 CM	\$1.65	\$1.44	\$3.09
Step 4 – Variable, over 18,184 CM	\$.70	\$1.44	\$2.14

Quarterly Service Charge \$22.33

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

a. Water & Wastewater Customers

<u>Meter Size</u>	<u>Water Included Cubic Meters</u>	<u>Customer Service Charge</u>	<u>Water Commodity Charge</u>	<u>Water Only Total Quarterly Minimum</u>	<u>Wastewater Commodity Charge</u>	<u>Water & Wastewater Total Quarterly Minimum</u>
5/8 inch	14	\$22.33	\$29.40	\$51.73	\$26.74	\$78.47
3/4 inch	27	\$22.33	\$56.70	\$79.03	\$51.57	\$130.60
1 inch	55	\$22.33	\$115.50	\$137.83	\$105.05	\$242.88
1 1/2 inch	136	\$22.33	\$285.60	\$307.93	\$259.76	\$567.69
2 inch	341	\$22.33	\$675.06	\$697.39	\$651.31	\$1,348.70
3 inch	614	\$22.33	\$1,150.08	\$1,172.41	\$1,172.74	\$2,345.15
4 inch	1,227	\$22.33	\$2,216.70	\$2,239.03	\$2,343.57	\$4,582.60
6 inch	2,319	\$22.33	\$4,112.64	\$4,134.97	\$4,407.67	\$8,542.64

b. Wastewater Only for Residential Customers

The wastewater only charge is based on 45 CM plus the quarterly customer service charge.

The quarterly charge for wastewater only customers is $(45 * \$1.91) + \$22.33 = \$108.28$.

3. Bulk Water

All water sold in bulk shall be charged for at a rate of \$9.00 per 1,000 gallons.

4. Septic Truck Tipping Fee

The Septic Truck Tipping fee shall be \$30.00 per load up to 14,000 litres.

Schedule of Commodity Rates & January 1, 2024**Quarterly Service Charge****Rates per Cubic Meter**

<u>Cubic Meters per Quarter</u>	Water &		
	Water	Wastewater	Wastewater
Step 1 – Domestic, up to 227 CM	\$2.38	\$1.83	\$4.21
Step 2 – Intermediate, 228 CM to 2,273 CM	\$1.97	\$1.83	\$3.80
Step 3 – Wholesale, 2,274 CM to 18,184 CM	\$1.87	\$1.38	\$3.25
Step 4 – Variable, over 18,184 CM	\$.79	\$1.38	\$2.17

Quarterly Service Charge \$22.51

1. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

a. Water & Wastewater Customers

Meter Size	Water Included Cubic Meters	Customer Service Charge	Water Commodity Charge	Water Only Total Quarterly Minimum	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum
5/8 inch	14	\$22.51	\$33.32	\$55.83	\$25.62	\$81.45
3/4 inch	27	\$22.51	\$64.26	\$86.77	\$49.41	\$136.18
1 inch	55	\$22.51	\$130.90	\$153.41	\$100.65	\$254.06
1 1/2 inch	136	\$22.51	\$323.68	\$346.19	\$248.88	\$595.07
2 inch	341	\$22.51	\$764.84	\$787.35	\$624.03	\$1,411.38
3 inch	614	\$22.51	\$1,302.65	\$1,325.16	\$1,123.62	\$2,448.78
4 inch	1,227	\$22.51	\$2,510.26	\$2,532.77	\$2,245.41	\$4,778.18
6 inch	2,319	\$22.51	\$4,656.90	\$4,679.41	\$4,223.07	\$8,902.48

b. Wastewater Only for Residential Customers

The wastewater only charge is based on 45 CM plus the quarterly customer service charge.

The quarterly charge for wastewater only customers is $(45 * \$1.83) + \$22.51 = \$104.86$.

2. Bulk Water

All water sold in bulk shall be charged for at a rate of \$10.00 per 1,000 gallons.

3. Septic Truck Tipping Fee

The Septic Truck Tipping fee shall be \$30.00 per load up to 14,000 litres.

1. Schedule of Commodity Rates & Quarterly Service Charge

January 1, 2025

Rates per Cubic Meter

<u>Cubic Meters per Quarter</u>	Water &		
	Water	Wastewater	Wastewater
Step 1 – Domestic, up to 227 CM	\$2.64	\$1.76	\$4.40
Step 2 – Intermediate, 228 CM to 2,273 CM	\$2.19	\$1.76	\$3.95
Step 3 – Wholesale, 2,274 CM to 18,184 CM	\$2.07	\$1.33	\$3.40

