

**Order No. 89/23**

**RURAL MUNICIPALITY OF MOUNTAIN  
BIRCH RIVER WATER AND WASTEWATER UTILITY  
REVISED WATER RATES EFFECTIVE JANUARY 1, 2024**

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**August 1, 2023**

BEFORE: Marilyn Kapitany, B.Sc. (Hon), Panel Chair  
Shawn McCutcheon, Panel Member

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## 1.0 Executive Summary

By this Order, the Public Utilities Board (Board) varies the revised water and wastewater rates for the Rural Municipality of Mountain (RM), Birch River Water and Wastewater Utility (Utility), effective January 1, 2024, 2025, 2026, 2027, and 2028.

The approved rates are as follows:

	<b>Current Rates</b>	<b>January 1, 2024</b>	<b>January 1, 2025</b>	<b>January 1, 2026</b>	<b>January 1, 2027</b>	<b>January 1, 2028</b>
Quarterly Service Charge	\$39.40	\$40.76	\$42.12	\$43.48	\$44.84	\$46.20
Water (per quarter)*	\$133.96	\$145.77	\$157.58	\$169.39	\$181.20	\$193.01
Wastewater (per quarter)*	\$21.58	\$31.97	\$42.36	\$52.75	\$63.14	\$73.53
Minimum Quarterly Charge**	\$194.94	\$218.50	\$242.06	\$265.62	\$289.18	\$312.74
Bulk Water (per 1,000 gallons)	\$24.00	\$24.00	\$25.00	\$26.50	\$28.25	\$30.00
Rate Rider (per customer)***	\$16.74	-	-	-	-	-
Tipping Fee (per load)****	\$15.00	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00

\*Based on 1 Residential Equivalency Unit (REU).

\*\*Based on 1 REU for both water and wastewater customers.

\*\*\*Approved in Board Order 113/17 and varied in Board Order 22/18 beginning April 1, 2018, collected for a period of 5 years. (expired March 31, 2023)

\*\*\*\*Tipping Fees previously approved in Board Order 98/13, \$15.00 per load up to 1,500 gallons (single axle) and \$30.00 per load up to 3,000 gallons (tandem axle).

Details of other rates may be found in the attached Schedule A.

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

## 2.0 Background

The RM owns and operates the Utility serving 46 water and wastewater customers, 52 water only customers, and 3 wastewater only customers (or a total of 101 customers). All customers are unmetered and represent a total of 123.5 REUs for water and 62.5 REUs for wastewater. Rates were last approved for the Utility in 2020 in Board Order No. 77/20, with the last increase occurring January 1, 2022.

One REU is the estimate of the volume of water used by the average single-family residence. Units allocated to non-residential customers are based on estimated consumption, as compared to a residence. REUs are used in communities with an unmetered distribution and collection system, where information regarding actual consumption is unavailable.

### Water Supply/Distribution

The system is comprised of two wells, a water treatment plant, and the distribution system. The well inside the water treatment plant supplies a truck fill, while the second well adjacent to the water treatment plant supplies the distribution system/community. Groundwater is withdrawn from sand and gravel which is overlain by confining clays and tills.

The system pipeline and water treatment plant were installed between 1974 and 1975, with extensions in 1990 and 2002 to 2006. A major plant upgrade was completed in 2021.

### Wastewater Collection/Treatment

The lagoon was completed in 1998. The system pipelines and lift station that service the eastern area were completed in 2007. The western area currently doesn't not have the ability to connect to the wastewater system due to a lack of infrastructure.

## Unaccounted for Water

The acceptable percentage of unaccounted for water is 10%, based on industry standards. If the percentage is above this amount, the applicant is to explain why and provide a plan to remedy.

The Utility is unmetered and therefore unaccounted for water cannot be calculated.

### 3.0 Application

On November 7, 2022, the RM applied for revised water rates for the Utility. The application was accompanied by a rate study prepared by the RM's consultant and By-Law No. 4/22, read for the first time on August 24, 2022.

A Public Notice of Application was issued on November 10, 2022 allowing for any questions or comments with respect to the proposed rate increases to the Board and/or the RM on or before December 27, 2022. There was one response received to the Notice regarding the magnitude of the requested increase and the water quality.

When reviewing an application the Board can either: hold a public hearing at which the applicant can present its case and customers can present their concerns; or where it is deemed to be in the best interests of a utility and its customers, the Board can review the application using a paper review process without holding a public hearing. The paper review process considers all written materials submitted by the Utility and the public, as well as any information requests and responses between the Board and the Utility. This process may reduce regulatory costs to the Utility.

A public hearing process allows the Utility and the public the opportunity to review the application and address any concerns with the Board present.

Whenever reasonable, the Board will review the application using a paper review process, which saves the cost of a public hearing process. The Board has chosen a paper review process for the RM's application.

The rates were calculated based on the following projections using an annual inflation rate of 3% in all calculations:

<b>Schedule of Utility Rate Requirements</b>						
<b>Rural Municipality of North Mountain – Birch River Water Utility</b>						
<b>2024 to 2029 Budget Forecasts (\$)</b>						
	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>
	<b>Forecast</b>					
<b>General Expenses</b>						
Administration	15,149	15,603	16,071	16,553	17,050	17,561
Utilities	1,775	1,828	1,883	1,939	1,997	2,057
Total General Expenses	16,924	17,431	17,954	18,492	19,047	19,618
<b>Revenue</b>						
Penalties	400	400	400	400	400	400
Total General Revenues	400	400	400	400	400	400
<b>Net Costs General</b>	<b>16,524</b>	<b>17,031</b>	<b>17,554</b>	<b>18,092</b>	<b>18,647</b>	<b>19,218</b>
<b>Water Expenses</b>						
Purification and Treatment	58,350	60,100	61,903	63,760	65,673	67,643
Service of Supply	4,986	5,135	5,289	5,448	5,611	5,780
Amortization	39,866	39,866	35,456	35,456	35,456	35,456
Reserves	-	-	-	-	-	-
Contingency	6,732	6,732	6,732	6,732	6,732	6,732
Total Water Expenses	109,934	111,833	109,380	111,396	113,472	115,611
<b>Revenue</b>						
Bulk Water Fees	3,484	3,593	3,811	4,028	4,246	4,400
Hydrant Rentals	1,700	1,700	1,700	1,700	1,700	1,700
Total Water Revenues	5,184	5,293	5,511	5,728	5,946	6,100
<b>Net Costs Water</b>	<b>104,750</b>	<b>106,540</b>	<b>103,869</b>	<b>105,668</b>	<b>107,526</b>	<b>109,511</b>
<b>Wastewater Expenses</b>						
Collection System	743	765	788	811	836	861
Treatment and Disposal	2,060	2,122	2,185	2,251	2,319	2,388
Amortization	36,009	36,009	36,009	35,550	35,550	35,550
Interest on Long-Term Debt	10,757	8,606	6,331	3,926	2,018	-
Total Wastewater Expenses	49,569	47,502	45,313	42,538	40,723	38,799
<b>Revenue</b>						
Lagoon Tipping Fees	175	175	175	175	175	175
Total Wastewater Revenues	175	175	175	175	175	175

Net Costs Wastewater	49,394	47,327	45,138	42,363	40,548	38,624
Net Operating Costs	170,668	170,898	166,561	166,123	166,721	167,353

The proposed Utility rate increases are primarily due to increased amortization expenses for the completion of a water treatment plant upgrade and decreased revenue from completed property tax revenue transfers from wastewater debt repayments.

### Contingency Allowance and Utility Reserves

As per the Board's Water and Wastewater Rate Application Guidelines, a yearly allowance equal to 10% of the variable operating costs is recommended for a contingency allowance.

The RM has included an annual contingency allowance of \$6,732 per year for water and \$307 per year for wastewater or a total contingency allowance of \$7,040 per year.

The RM has not included an annual reserve allowance. The RM's rate study notes, the Utility's existing Reserve Fund combined with future, forecasted balance in working capital surplus should be sufficient to provide for any future capital projects.

### Working Capital Surplus/Deficit

Board Order No. 93/09 established that utilities should maintain a minimum working capital surplus, in an amount equal to 20% of annual expenses. The working capital surplus/deficit is defined as the Utility fund balance, excluding any capital related items plus Utility reserves.

As per the 2022 Audited Financial Statements, the most recent information available, the working capital deficit for the Utility at December 31, 2022 was:

	2022
Utility Fund Surplus/Deficit	\$2,094,703
Deduct: Tangible Capital Assets	(2,268,159)
Add: Long-Term Debt	222,971
Add: Utility Reserve	281,789
<b>Equals Working Capital Surplus (Deficit)</b>	<b>\$331,304</b>
Operating Expenses	176,850
<b>20% of Operating Expenses (Target)</b>	<b>\$35,370</b>

The Utility meets the Board minimum working capital surplus of 20%.

### Cost Allocation Methodology

The Board requires all municipal governments to review the costs shared between its general operations and the Utility, and to allocate appropriate and reasonable costs to the Utility, based on a policy known as a Cost Allocation Methodology. This allocation must be submitted to the Board for approval and cannot be changed without receiving approval from the Board. The Board's requirements regarding cost allocation methodologies can be found in Board Order No. 93/09.

The RM's allocation plan for shared costs is as follows:

<b>Rural Municipality of Mountain Birch River Water and Wastewater Utility Allocation Plan for Non-Direct Shared Services (see Note 1) as at August 2022</b>			
Category	Sub-category	Options	
1.0 Administrative Staff			2.5% of General Government Services (as defined in Financial Plan), excluding Assessment, Election, Grants, and Dr. Recruitment Expenses
	1.1 Billing services – meter reading to receipting and collection.		Meter reading – N/A; Receipting and collection is part of admin. staff allocation
	1.2 Accounting/ auditing/ including bylaw making and enforcement.		2.5% of audit costs
	1.3 Common office space		2.5% of office cots, utilities
	1.4 Office overheads (telephone, photocopier, computer, etc.)		2.5% of printing, postage, and stationary
2.0 Operating, construction and maintenance costs			
	2.1 Vehicle – fuel, maintenance, lease costs, capital costs		Based on actual costs



	2.2 Labor – full time, part time, on call, sick time, vacation (see Note 2)		Based on actual costs
	2.3 Public works building and property.		Costs that could be charged to the Utility are minimal and at present, nothing is allocated to the Utility.
	2.4 Road repairs and alike (see Note 3)		Based on actual costs
3.0 Major projects			
	Interest/ financing		Debenture Debt
	Labor		Based on actual costs
	External costs		Direct charge (dedicated consulting)

Note 1 – Allocation must be updated periodically to reflect impacts of inflation.

Note 2 – Including salaries and benefits.

Note 3 – If a project involves work benefitting both the Utility and general operations the costs may be shared (i.e. If reconstructing a road and replacing services at the same time, a portion of the roadwork costs may be allocated to the Utility.)

#### 4.0 Board Findings

The Board has reviewed the application and projections presented by the RM in its rate application. The Board notes the Utility rate forecasts included expiring taxation revenue for wastewater debt repayments of \$48,326 for 2024, 2025, and 2026; and \$37,049 for 2027 and 2028. To account for the expiration of these revenues in 2029, the calculations used to formulate the Utility's rates are not consistent with Public Utilities Board Guidelines.

The Board notes that RM's calculations for the requested rates from 2024 through 2028 do not include the transfer of forecasted taxation revenues to the Utility. The Board accepts that the RM is using this methodology to phase-in rates to mitigate rate-shock and high year-over-year rate increases that would occur when the taxation revenues ceases in 2029. The Board notes this not approach is not a common practice under Board Guidelines, but accepts the methodology proposed for this Utility as a reasonable way to mitigate rate shock and account for expiring taxation revenues.

The Board approves the rates as applied for, effective January 1, 2024, 2025, 2026, 2027, and 2028.

The Board requires the RM to review its water rates for the Utility for adequacy and file a report with the Public Utilities Board, as well as an application for revised rates (if required) on or before July 1, 2028.

The Board notes the RM has removed the 12.0 REU allocation for Manitoba Housing as the facility allocation included 12 rental units, which are now being charged 1.0 REUs per unit as per the Residence REU allocation. The Board also notes Swan Valley High School is no longer operating as a high school and therefore the REU allocation for Swan Valley School Division is no longer required. The facility is now part of the Commercial III 3.0 REU allocation.

The Board has not received the RM's 2022 Audited Financial Statements and reminds the RM audited financial statements are to be reported to the Board no later than June 30 of the following year. The Board direct the RM to submit its 2022 Audited Financial Statements as soon as they are available.

## 5.0 IT IS HEREBY ORDERED THAT:

1. The revised water rates for the Rural Municipality of Mountain, Birch River Water and Wastewater Utility, BE AND ARE HEREBY VARIED in accordance with the attached Schedule A, effective January 1, 2024, January 1, 2025, January 1, 2026, January 1, 2027, and January 1, 2028.
2. The Shared Cost Allocation Methodology for the Rural Municipality of Mountain BE AND IS HEREBY APPROVED.
3. The Rural Municipality of Mountain is to provide a notice of the decisions found in this Order to its customers as soon as possible, with a copy provided to the Public Utilities Board.
4. The Rural Municipality of Mountain amend its water 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.
5. The Rural Municipality of Mountain review its water and wastewater rates for the Birch River Water and Wastewater Utility for adequacy and file a report with the Public Utilities Board, as well as an application for revised rates if required, by no later than July 1, 2028.
6. The Rural Municipality of Mountain submit its 2022 Audited Financial Statements as soon as they are available.

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.pubmanitoba.ca](http://www.pubmanitoba.ca).

Fees payable upon this Order - \$500.00

THE PUBLIC UTILITIES BOARD

"Marilyn Kapitany"

Panel Chair

"Frederick Mykytyshyn"

Assistant Associate Secretary

Certified a true copy of Order No. 89/23

Issued by The Public Utilities Board



Assistant Associate Secretary

**SCHEDULE A  
RURAL MUNICIPALITY OF MOUNTAIN  
BIRCH RIVER WATER AND WASTEWATER UTILITY  
WATER UTILITY RATES BY-LAW NO. 04/22  
SCHEDULE OF QUARTERLY RATES  
Effective January 1, 2024**

**1. Schedule of Commodity Rates & Quarterly Service Charge January 1, 2024**

Quarterly Service Charge \$40.76

Quarterly Rates	Water	Wastewater	Water & Wastewater
Per REU	\$145.77	\$31.97	\$177.74

**2. Charges per Quarter**

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable charges per quarter set out below:

**a. Water & Wastewater Customers**

<u>Customer</u>	<u>Residential Equivalency Units (REUs)</u>	<u>Customer Service Charge</u>	<u>Water Commodity Charge</u>	<u>Wastewater Commodity Charge</u>	<u>Total Commodity Quarterly Charge</u>
Church.....	1	\$40.76	\$145.77	\$31.97	\$218.50
Residence.....	1	\$40.76	\$145.77	\$31.97	\$218.50
Residence, multi-family..... <i>per dwelling unit</i>	1	\$40.76	\$145.77	\$31.97	\$218.50
Commercial I ..... <i>No public washroom &amp; water not required for business purpose (Birch River Library, Municipal Office, Canada Post, Nutrien Ag. Solutions, Northern Neighbors)</i>	1.5	\$40.76	\$218.66	\$47.96	\$307.38
Commercial II ..... <i>Has public washroom &amp; water not required for business purpose (Mafeking Gas &amp; Grocery, Birchwood Grocery)</i>	2	\$40.76	\$291.54	\$63.94	\$396.24
Commercial III ..... <i>Has public washroom &amp; water required for business purpose, or public facility (Restaurants, Royal Canadian Legions, Fire Halls, Block Leasing Inc.)</i>	3	\$40.76	\$437.31	\$95.91	\$573.98
Commercial IV ..... <i>Properties considered to be industrial in nature (Trevor Anderson)</i>	4	\$40.76	\$583.08	\$127.88	\$751.72

**b. Water Only Customers**

The charge will be the same for each REU as shown above, but the Wastewater Commodity Charge shall be excluded.

c. Wastewater Only Customers

The charge will be the same for each REU as shown above, but the Water Commodity Charge shall be excluded.

**3. Bulk Water Sales**

All water sold in bulk by the Birch River Utility shall be charged at the rate of \$24.00 per 1,000 gallons.

**1. Schedule of Commodity Rates & Quarterly Service Charge      January 1, 2025**

Quarterly Service Charge \$42.12

Quarterly Rates	Water	Wastewater	Water & Wastewater
Per REU	\$157.58	\$42.36	\$199.94

**2. Charges per Quarter**

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable charges per quarter set out below:

a. Water & Wastewater Customers

<u>Customer</u>	<u>Residential Equivalency Units (REUs)</u>	<u>Customer Service Charge</u>	<u>Water Commodity Charge</u>	<u>Wastewater Commodity Charge</u>	<u>Total Quarterly Charge</u>
Church.....	1	\$42.12	\$157.58	\$42.36	\$242.06
Residence.....	1	\$42.12	\$157.58	\$42.36	\$242.06
Residence, multi-family..... <i>per dwelling unit</i>	1	\$42.12	\$157.58	\$42.36	\$242.06
Commercial I ..... <i>No public washroom &amp; water not required for business purpose (Birch River Library, Municipal Office, Canada Post, Nutrien Ag. Solutions, Northern Neighbors)</i>	1.5	\$42.12	\$236.37	\$63.54	\$342.03
Commercial II ..... <i>Has public washroom &amp; water not required for business purpose (Mafeking Gas &amp; Grocery, Birchwood Grocery)</i>	2	\$42.12	\$315.16	\$84.72	\$442.00
Commercial III ..... <i>Has public washroom &amp; water required for business purpose, or public facility (Restaurants, Royal Canadian Legions, Fire Halls, Block Leasing Inc.)</i>	3	\$42.12	\$472.74	\$127.08	\$641.94
Commercial IV ..... <i>Properties considered to be industrial in nature (Trevor Anderson)</i>	4	\$42.12	\$630.32	\$169.44	\$841.88

b. Water Only Customers

The charge will be the same for each REU as shown above, but the Wastewater Commodity Charge shall be excluded.

c. Wastewater Only Customers

The charge will be the same for each REU as shown above, but the Water Commodity Charge shall be excluded.

3. **Bulk Water Sales**

All water sold in bulk by the Birch River Utility shall be charged at the rate of \$25.00 per 1,000 gallons.

1. **Schedule of Commodity Rates & Quarterly Service Charge** **January 1, 2026**

Quarterly Service Charge \$43.48

Quarterly Rates	Water	Wastewater	Water & Wastewater
Per REU	\$169.39	\$52.75	\$222.14

2. **Charges per Quarter**

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable charges per quarter set out below:

a. Water & Wastewater Customers

<u>Customer</u>	<u>Residential Equivalency Units (REUs)</u>	<u>Customer Service Charge</u>	<u>Water Commodity Charge</u>	<u>Wastewater Commodity Charge</u>	<u>Total Quarterly Charge</u>
Church.....	1	\$43.48	\$169.39	\$52.75	\$265.62
Residence.....	1	\$43.48	\$169.39	\$52.75	\$265.62
Residence, multi-family..... <i>per dwelling unit</i>	1	\$43.48	\$169.39	\$52.75	\$265.62
Commercial I ..... <i>No public washroom &amp; water not required for business purpose (Birch River Library, Municipal Office, Canada Post, Nutrien Ag. Solutions, Northern Neighbors)</i>	1.5	\$43.48	\$254.09	\$79.13	\$376.70
Commercial II ..... <i>Has public washroom &amp; water not required for business purpose (Mafeking Gas &amp; Grocery, Birchwood Grocery)</i>	2	\$43.48	\$338.78	\$105.50	\$487.76

Commercial III .....	3	\$43.48	\$508.17	\$158.25	\$709.90
<i>Has public washroom &amp; water required for business purpose, or public facility (Restaurants, Royal Canadian Legions, Fire Halls, Block Leasing Inc.)</i>					
Commercial IV .....	4	\$43.48	\$677.56	\$211.00	\$932.04
<i>Properties considered to be industrial in nature (Trevor Anderson)</i>					

**b. Water Only Customers**

The charge will be the same for each REU as shown above, but the Wastewater Commodity Charge shall be excluded.

**c. Wastewater Only Customers**

The charge will be the same for each REU as shown above, but the Water Commodity Charge shall be excluded.

**3. Bulk Water Sales**

All water sold in bulk by the Birch River Utility shall be charged at the rate of \$26.50 per 1,000 gallons.

**Schedule of Commodity Rates & Quarterly Service Charge      January 1, 2027**

Quarterly Service Charge    \$44.84

Quarterly Rates	Water	Wastewater	Water & Wastewater
Per REU	\$181.20	\$63.14	\$244.34

**1. Charges per Quarter**

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable charges per quarter set out below:



**a. Water & Wastewater Customers**

<u>Customer</u>	<u>Residential Equivalency Units (REUs)</u>	<u>Customer Service Charge</u>	<u>Water Commodity Charge</u>	<u>Wastewater Total Commodity Charge</u>	<u>Quarterly Charge</u>
Church.....	1	\$44.84	\$181.20	\$63.14	\$289.18
Residence.....	1	\$44.84	\$181.20	\$63.14	\$289.18
Residence, multi-family..... <i>per dwelling unit</i>	1	\$44.84	\$181.20	\$63.14	\$289.18
Commercial I ..... <i>No public washroom &amp; water not required for business purpose (Birch River Library, Municipal Office, Canada Post, Nutrien Ag. Solutions, Northern Neighbors)</i>	1.5	\$44.84	\$271.80	\$94.71	\$411.35
Commercial II ..... <i>Has public washroom &amp; water not required for business purpose (Mafeking Gas &amp; Grocery, Birchwood Grocery)</i>	2	\$44.84	\$362.40	\$126.28	\$533.52
Commercial III ..... <i>Has public washroom &amp; water required for business purpose, or public facility (Restaurants, Royal Canadian Legions, Fire Halls, Block Leasing Inc.)</i>	3	\$44.84	\$543.60	\$189.42	\$777.86
Commercial IV ..... <i>Properties considered to be industrial in nature (Trevor Anderson)</i>	4	\$44.84	\$724.80	\$252.56	\$1,022.20

**b. Water Only Customers**

The charge will be the same for each REU as shown above, but the Wastewater Commodity Charge shall be excluded.

**c. Wastewater Only Customers**

The charge will be the same for each REU as shown above, but the Water Commodity Charge shall be excluded.

**2. Bulk Water Sales**

All water sold in bulk by the Birch River Utility shall be charged at the rate of \$28.25 per 1,000 gallons.

**1. Schedule of Commodity Rates & Quarterly Service Charge January 1, 2028**

Quarterly Service Charge \$46.20

Quarterly Rates	Water	Wastewater	Water & Wastewater
Per REU	\$193.01	\$73.53	\$266.54

**2. Charges per Quarter**

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable charges per quarter set out below:

**a. Water & Wastewater Customers**

<u>Customer</u>	<u>Residential Equivalency Units (REUs)</u>	<u>Customer Water Service Charge</u>	<u>Water Commodity Charge</u>	<u>Wastewater Total Commodity Charge</u>	<u>Quarterly Charge</u>
Church.....	1	\$46.20	\$193.01	\$73.53	\$312.74
Residence.....	1	\$46.20	\$193.01	\$73.53	\$312.74
Residence, multi-family..... <i>per dwelling unit</i>	1	\$46.20	\$193.01	\$73.53	\$312.74
Commercial I ..... <i>No public washroom &amp; water not required for business purpose (Birch River Library, Municipal Office, Canada Post, Nutrien Ag. Solutions, Northern Neighbors)</i>	1.5	\$46.20	\$289.52	\$110.30	\$446.02
Commercial II ..... <i>Has public washroom &amp; water not required for business purpose (Mafeking Gas &amp; Grocery, Birchwood Grocery)</i>	2	\$46.20	\$386.02	\$147.06	\$579.28
Commercial III ..... <i>Has public washroom &amp; water required for business purpose, or public facility (Restaurants, Royal Canadian Legions, Fire Halls, Block Leasing Inc.)</i>	3	\$46.20	\$579.03	\$220.59	\$845.82
Commercial IV ..... <i>Properties considered to be industrial in nature (Trevor Anderson)</i>	4	\$46.20	\$772.04	\$294.12	\$1,112.36

**b. Water Only Customers**

The charge will be the same for each REU as shown above, but the Wastewater Commodity Charge shall be excluded.

**c. Wastewater Only Customers**

The charge will be the same for each REU as shown above, but the Water Commodity Charge shall be excluded.

### **3. Bulk Water Sales**

All water sold in bulk by the Birch River Utility shall be charged at the rate of \$30.00 per 1,000 gallons.

**The following clauses take effect January 1, 2024:**

### **4. Service To Customers Outside LUD of Birch River Limits**

The Council of the Rural Municipality of Mountain may sign Agreements with customers for the provision of Water and Wastewater Services to properties located outside the boundaries of the LUD of Birch River. 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 the 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 the LUD of Birch River boundaries. In addition, all costs of connecting to the Utility's mains, and installing and maintaining service connections, will be paid by the customer.

### **5. New Connections**

Any residents of the LUD of Birch River that currently are not connected to the Utility System and wish to connect, will be responsible for any fees and permits associated with such a connection. This shall include the current rate of a curb stop and any associated plumbing materials required by the Rural Municipality to hook up to the municipal water supply. This may include repairs to an existing curb stop, if necessary. If there is an existing curb stop that is fully functioning then no connection fee shall apply.

### **6. Billings And Penalties**

Accounts shall be billed quarterly and the due date shall be at least 20 days after the mailing of the bills.

A late payment charge of 1.25% compounded monthly shall be charged on the dollar amount owing after the billing due date.

### **7. Disconnection**

The Public Utilities Board has approved the Conditions Precedent to be followed by the Rural Municipality with respect to 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 is available for inspection at the Municipal Office.

## **8. Reconnection**

Any request for the re-connection of service, whether due to non-payment of account or for any other reason(s) mutually agreed to by the customer and the Rural Municipality (i.e. repairs necessitated by negligence of the customer, changes in tenant, vacancy for an extended period of time, etc.), shall not be completed until a fee of \$50.00 and all arrears and penalties, if any, have been paid.

## **9. Outstanding Bills**

Pursuant to Section 252(2) of *The Municipal Act*, the amount of all outstanding charges for Water and Wastewater Services 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 collectible, 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.

## **10. Hydrant Charges**

The Rural Municipality of Mountain will pay to the Utility an annual rental of \$100.00 for each hydrant connected to the system.

## **11. Wastewater Tipping Fees**

The charge for tipping waste at the Birch River Lagoon will be set at \$25.00 per tip.

## **12. Wastewater Surcharges**

a) There may be levied annually, in addition to the rates set forth above, a special surcharge on wastewater having a Biochemical Oxygen Demand in excess of 300 parts per million, to be set by Resolution of Council.

b) A special surcharge for substances requiring special treatment shall be charged based on the actual costs of treatment required for the particular wastewater or industrial waste.

## **13. 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 Rural Municipality's water system.

If a condition is found to exist which, in the opinion of the Rural Municipality, is contrary to the aforesaid, the Rural Municipality may either:

1. Shut off the service or services; or
2. 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 Rural Municipality shall proceed in accordance with clause 1 of this section.

#### **14. Conditions of Disrepair**

In the event that there are conditions of disrepair in the wastewater and water works on a property that detrimentally affects the system as a whole and, upon the failure of the owner of the property to correct the condition within a reasonable time, the Rural Municipality, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.

#### **15. Authorization For Officer To Enter Upon Premises**

The Public Works Manager, or other employee authorized by the Rural Municipality of Mountain in the absence of the Public Works Manager, shall be authorized to enter upon any premise for the purpose of:

Affixing to any pipe, wire or apparatus connected with any such utility, a meter or any other measuring or testing device; or taking readings from, repairing, inspecting or removing any meter or apparatus belonging to the Rural Municipality.

#### **16. Application to the Public Utilities Board for adjustment of REU**

Owners of non-residential locations may apply to the Rural Municipality of Mountain for an adjustment in class in accordance with the REU class schedule. These adjustments shall be prepared by municipal staff and sent to the Public Utilities Board for review and approval. The cost for such an application shall be borne by the applicant and shall be the actual amount charged by the Public Utilities Board for such an order, plus an administration fee of \$100.00 for preparing the required documents.