

Order No. 38/24

**ORDER RESPECTING
THE RURAL MUNICIPALITY OF FISHER
WATER AND WASTEWATER UTILITY
REQUEST TO REVIEW AND VARY
BOARD ORDER NO. 144/23**

March 21, 2024

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

1.0 Executive Summary

By this Order, the Public Utilities Board (Board) approves the Rural Municipality of Fisher's (RM) request to vary Board Order No. 144/23 for the Fisher Water and Wastewater Utility (Utility).

The Board grants approval to the RM to update the Utility By-law to reflect rounding of the minimum quarterly volumes from two decimal place to whole numbers, as shown in the table below. There is a small variation in the Minimum Quarterly charges as a result of rounding.

Meter Size	Minimum Quarterly Consumption	Customer Service Charge	Water	Wastewater	Quarterly Minimum Charge Water and Wastewater
5/8"	14	\$ 22.40	\$ 75.32	\$ 21.98	\$ 119.70
3/4"	27	\$ 22.40	\$ 145.26	\$ 42.39	\$ 210.05
1"	55	\$ 22.40	\$ 295.90	\$ 86.35	\$ 404.65
1½	140	\$ 22.40	\$ 753.20	\$ 219.80	\$ 995.40
2	341	\$ 22.40	\$ 1,834.58	\$ 535.37	\$ 2,392.35
Car wash - wastewater only	160	\$ 22.40	\$ -	\$ 251.20	\$ 273.60

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 Nos. 144/23 and 38/19.

In Board Order No. 38/19, issued March 29, 2019, the Board granted approval for revised rates for July 1, 2019 and January 1 2020 and 2021. In Board Order No. 144/23, issued December 15, 2023, the Board granted approval to the RM to convert current rates from “per 1,000 gallons” to “per cubic meter” to accommodate new water meters installed by the RM.

3.0 Application

On March 8, 2024, the RM submitted a request that the Board review its decision made in Board Order No. 144/23 and allow the RM to set its minimum quarterly volumes as whole numbers, rather than the previously approved minimum quarterly volumes.

In its March 2023 application, the RM had provided its minimum quarterly volumes calculated to two decimal places. Upon approval in Board Order No. 144/23, the RM attempted to implement the new volumes, and was discovered its software was not capable of accommodating decimal places for this purpose.

4.0 Board Findings

The Board has reviewed the RM's request and finds the request to round its minimum quarterly volumes from two decimal places to whole numbers to be reasonable and grants approval of the change, effective January 1, 2024.

The Board will direct the RM to submit a copy of By-law No. 1204/24 once it has had third and final reading, and to notify its customers of the decisions in this Order with its next quarterly billing.

5.0 IT IS THEREFORE ORDERED THAT:

1. The request by the Rural Municipality of Fisher Water and Wastewater Utility, to round the minimum quarterly volumes from two decimal places to whole numbers BE AND IS HEREBY APPROVED effective January 1, 2024.
2. The Rural Municipality of Fisher amend its Water and Wastewater 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.
3. The Rural Municipality of Fisher review the Fisher Water and Wastewater Utility prepare a Notice for its customers advising of the changes in minimum quarterly volumes and distribute in the next quarterly billing.

Fees payable upon this Order – \$150.00

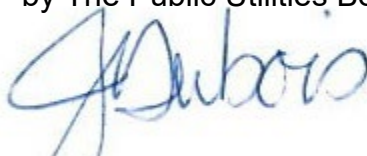
Board decisions may be appealed in accordance with the provisions of Section 58 of *The Public Utilities Board Act*, or reviewed in accordance with Section 36 of the Board's Rules of Practice and Procedure. The Board's Rules may be viewed on the Board's website at www.pubmanitoba.ca.

THE PUBLIC UTILITIES BOARD

"Marilyn Kapitany, B.Sc. (Hon), M. Sc"
Panel Chair

"Jennifer Dubois, CPA, CMA"
Assistant Associate Secretary

Certified a true copy of Order No. 38/24 issued
by The Public Utilities Board



Assistant Associate Secretary

SCHEDULE "A"

**THE RURAL MUNICIPALITY OF FISHER
WATER AND SEWER RATES
BY-LAW NO. 1204/24**

SCHEDULE OF QUARTERLY RATES:

1. Commodity rates – Water & Wastewater – per Cubic Metre (m3)

All Water Consumption	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
Effective January 1, 2024	\$5.38	\$1.57	\$6.95

2. Minimum Charges, Quarterly

Notwithstanding the Commodity rates set forth in paragraph 1 hereof, all customers will pay the applicable minimum charges set out below, which will include water allowances indicated:

(a) Water and Sewer Customers

January 1, 2024				<u>Commodity Charges</u>		
Meter Size	Group Capacity Ratio	Water Included Cu Meters	Customer Service Charge	<u>Water</u>	<u>Waste Water Sewer</u>	<u>Quarterly Minimum</u>
5/8"	1	14	\$22.40	\$ 75.32	\$ 21.98	\$ 119.70
3/4"	2	27.32	\$22.40	\$ 145.26	\$ 42.39	\$ 210.05
1"	4	54.64	\$22.40	\$ 295.90	\$ 86.35	\$ 404.65
1 1/2"	10	136.62	\$22.40	\$ 753.20	\$219.80	\$ 995.40
2"	25	341.54	\$22.40	\$1,834.58	\$535.37	\$ 2,392.35

(b) Water Only Customers

Minimum charge will be the same for each meter size as shown above, but the Sewer Commodity Charge will be excluded.

(c) Wastewater Only for Residential Customers

The Rural Municipality of Fisher do charge the owners or occupants of land serviced with sewer but no water an amount determined by using the same sewer rate charged to connected customers multiplied by the quarterly estimated sewer usage (80 cubic meters) plus the quarterly service charge, as follows:

$$2024 \quad \$22.40 + (\$1.57 \times 80\text{m}^3) = \$148.00$$

(d) Sewer Only for Car Wash

The Rural Municipality of Fisher do charge the owners of the Car Wash that is serviced with the sewer but not water an amount based on a quarterly estimated usage of 160 cubic meters, which is an amount equivalent to two times that of a residential property as noted above in (c) $80 \times 2 = 160$ cubic meters:

$$2024 \quad \$22.40 + (\$1.57 \times 160\text{m}^3) = \$273.60$$

3. Bulk Sales Rate

All water sold in bulk by the Rural Municipality of Fisher shall be charged the same rate for water as connected customers as follows:

2024 \$5.38 per cubic meter (24.48 per 1,000 gallons)
Customers can buy in small quantities for amounts of 2.27 cubic meters or less.

4. Service to Customers Outside Municipality, Town, or L.I.D., Limits

The Council of Rural Municipality of Fisher may sign agreements with customers for the provision of water and sewer services to properties located outside the legal boundaries of Local Improvement Districts Nos. 1 and 2 in Fisher Branch.

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 connecting to the utility's mains and installing and maintaining service connections will be paid by the customer.

5. Billings and Penalties

A late payment charge of $1\frac{1}{4}$ % shall be charged on the dollar amount owing after the billing due date. The due date will be at least fourteen days after the mailing of the bills.

6. Disconnection

The Public Utilities Board has approved the Conditions Precedent to be followed by the municipality 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 is available for inspection at the Rural Municipality of Fisher Office.

7. Reconnection

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$30.00 have been paid.

8. Outstanding Bills

Pursuant to Section 252(2) of *The Municipal Act*, the amount of all outstanding charges for water and sewer service 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.

9. Hydrant Rentals

The Rural Municipality of Fisher will pay to the utility an annual rental of \$150.00 for each hydrant connected to the system.

10. Water Allowance Due to Line Freezing

That in any case where, at the request of the Council, a customer allows water to run continuously for any period of time to prevent the water lines in the water system from freezing, the charge to that customer for the current quarter shall be the average of the billings for the last two previous quarters to the same customer, or to the same premises if the occupant has changed.

11. Sewage Surcharges

- (a) There may be levied annually, in addition to rates set forth above, a special surcharge on sewage 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 sewage or industrial wastes.