

M A N I T O B A ) Order No. 105/09  
)  
THE PUBLIC UTILITIES BOARD ACT ) July 7, 2009

BEFORE: Graham Lane, CA, Chairman  
Susan Proven, P.H.Ec., Member  
Monica Girouard, C.G.A., Member

**RURAL MUNICIPALITY OF GIMLI  
GIMLI PROPERTIES  
WATER AND SEWER UTILITY  
ACTUAL DEFICITS 2006, 2007, 2008 AND  
BUDGETED DEFICIT 2009**

**WHEREAS** the Public Utilities Board issued Order No. 151/08 on November 7, 2008 requiring all water and/or sewer utilities to report an actual year-end deficit to the Board if the utility:

1. had not received prior approval for the deficit from the Board and such deficit either exceeds \$10,000 or represents 5% of the utility's operating budget; or
2. had received prior approval for the deficit from the Board and the actual deficit:
  - a. exceeds the previously approved amount by either \$10,000 or 5% of the utility's operating budget; or
  - b. is caused as a result that differs from that upon which said approval was granted;

**AND WHEREAS** the Rural Municipality of Gimli serving Gimli Properties incurred deficits at the end of 2006, 2007 and 2008 operating years of \$33,141.43, \$51,306.22 and \$130,726.43 respectively;

**AND WHEREAS** the said cause of the deficits were additional costs incurred to monitor the truck dump station as well as septage dumping fees paid to Teulon and Arborg;

**AND WHEREAS** it is proposed that the deficits be recovered by tax levy over three years beginning in 2010;

**AND WHEREAS** Section 164(4) of *The Municipal Act*, SM 1996, c. 58, as amended, provides:

"164(4) The council must ensure that the amount of estimated revenue and transfers provided for in the utility budget is not less than the amount of estimated expenditures in respect of the utility unless, before adopting the operating budget, the council obtains The Public Utilities Board's written approval, which may include any condition the Board considers necessary or advisable. "

**AND WHEREAS** the Rural Municipality of Gimli plans to incur a deficit during the year 2009 in the Gimli Properties for an amount estimated at \$200,096;

**AND WHEREAS** the said cause of the budgeted deficit is a result of insufficient utility rates;

**AND WHEREAS** it is proposed that the said budgeted deficit be recovered from revenues generated by new rates;

**IT IS THEREFORE ORDERED THAT:**

1. The actual deficits of \$33,141.43, \$51,306.22 and \$130,726.43 incurred in the Rural Municipality of Gimli serving the Gimli Properties during the years 2006, 2007 and 2008, respectively, for the purposes set out herein, BE AND THE SAME ARE HEREBY APPROVED.

2. The Public Utilities Board approves the recovery of these deficits from users connected to the collection systems for Gimli Properties Utility, the Pelican Beach Utility as well as those properties in the Municipality that have a septic holding tank or field, as follows:
  - i. 2006 and 2007 deficits to be recovered by tax levy in the years 2010 and 2011 - \$28,145.88 and in 2012 - \$28,145.89.
  - ii. 2008 deficit to be recovered by tax levy in the years 2010 and 2011 - \$43,575.48 and in 2012 - \$43,575.47.
3. The budgeted deficit proposed for the water and sewer utility of the Rural Municipality of Gimli serving Gimli Properties during the year 2009 estimated at \$200,096.00, for the purposes set out herein, BE AND THE SAME IS HEREBY APPROVED to be recovered from revenues generated by new rates.
4. If, at the end of the year, the actual amount of the 2009 deficit exceeds the previously approved amount by \$10,000 or 5% of the utilities operating budget, or if the cause of the deficit differs from that approved herein, the Rural Municipality of Gimli shall advise the Board by no later than April 1, 2010 and seek the Board's approval for recovery thereof.

Fees payable upon this Order - \$300.00

THE PUBLIC UTILITIES BOARD

"GRAHAM F. J. LANE, C.A."  
Chairman

"KRISTINE SCHWANKE"  
Acting Secretary

Certified a true copy of Order  
No. 105/09 issued by The Public  
Utilities Board

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Acting Secretary

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](http://www.pub.gov.mb.ca).