

M A N I T O B A                    )     Order No. 80/09  
  )  
THE MUNICIPAL ACT                 )     May 12, 2009

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

**TOWN OF STONEWALL  
WATER AND SEWER UTILITY  
2009 BUDGETED DEFICIT**

**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 Town of Stonewall plans to incur a deficit during the year 2009 in the water and sewer utility for an amount estimated at \$81,500;

**AND WHEREAS** the said cause of the budgeted deficit is planned capital projects in the utility such as a watermain upgrade project and water station, lift station and lagoon upgrades/repairs;

**AND WHEREAS** it is proposed that the said deficit be recovered from withdrawal from the utility's accumulated surplus which at December 31, 2008 held a balance of \$348,843.96;

**IT IS THEREFORE ORDERED THAT:**

1. The budgeted deficit proposed for the water and sewer utility of the Town of Stonewall during the year 2009 estimated at \$81,500, for the purposes set out herein, BE AND THE SAME IS HEREBY APPROVED to be recovered from utility's accumulated surplus.
  
3. If, at the end of the year, the actual amount of the deficit exceeds \$10,000 or 5% of the utilities operating budget, or if the cause of the deficit differs from that approved herein, the Town of Stonewall shall advise the Public Utilities Board by no later than April 1, 2010 and seek the Board's approval for recovery thereof.

Fees payable upon this Order - \$150.00

THE PUBLIC UTILITIES BOARD

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

"KRISTINE SCHWANKE"  
Acting Secretary

Certified a true copy of Order  
No. 80/09 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).