

M A N I T O B A ) Order No. 29/10  
)  
THE PUBLIC UTILITIES BOARD ACT ) March 25, 2010

BEFORE: Susan Proven, P.H.Ec., Acting Chair  
Monica Girouard, CGA, Member

PROCEDURAL ORDER - RURAL MUNICIPALITY OF  
GIMLI: TIMETABLE FOR A PUBLIC HEARING  
(APPLICATION FOR REVISED WATER AND SEWER  
RATES) AND APPROVAL OF INTERVENER

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**SUMMARY**

By this Order, the Public Utilities Board (Board) accepts an application for intervener status from Mr. Brian McClintock for the Board's public hearing (to be held on May 17, 2010) of the Rural Municipality of Gimli's (RM) application for approval of revised water and sewer rates.

This order also provides the intervener and the RM with direction pertaining to the process to be followed ahead of the hearing.

**INTRODUCTION**

The Board received an application (dated December 30, 2009) from the RM for approval of revised water and sewer rates. Subsequently, the Board scheduled a public hearing for May 17, 2010 and approved a notice of hearing to be published, posted and distributed by the RM.

By emails dated March 3 and 19, 2010, Mr. Brian McClintock submitted an Intervener Request Form. The application set out the following reasons for the proposed intervention:

1. The sewer and water rates proposed by the RM are unjustified (increasing from \$93.50 to \$439.98 per quarter) for a system which the residents are paying 100% for the costs.
2. The rate study is flawed as some of the cost data used is inaccurate.
3. The increase in the cost of Hydro from \$3,177 to \$13,365 per annum is quite significant.

4. If the rates as proposed are approved by the Board, the resulting surpluses will be unjustifiably large and explanation is needed from the RM.

Mr. McClintock indicated that he intends to appear throughout the hearing, and wishes to participate in the production and testing of evidence. Mr. McClintock advised that he did not intend to call witnesses at this time but may wish to ask questions of the Chief Administrative Officer, the Gimli Finance Chair and the consultant from Energy Consultants International that prepared the rate study.

The intervener is not requesting an award of costs.

Mr. McClintock indicated that he proposes to submit a number of questions to the RM and suggested that responses to his first set of questions may elicit a second round of questions to be asked.

#### **RM'S POSITION**

Mr. McClintock's application was circulated to the RM for comment.

The RM advised that they have met with Mr. McClintock in respect of the rate review and have answered the questions posed to them. The RM has no objections to Mr. McClintock's application for intervener status.

#### **BOARD FINDINGS AND COMMENTS**

The Board will grant intervener status to Mr. Brian McClintock for the public hearing to be held in the RM of Gimli which is to proceed on May 17, 2010. Pursuant to Mr. McClintock's request for

two rounds of questions, the Board sets out the following schedule to facilitate the orderly exchange of information.

March 29, 2010 - The intervener is to circulate first round of questions to the RM;

April 14, 2010 - The RM is to provide responses to the questions;

April 28, 2010 - The intervener is to circulate second round of questions to the RM, if required;

May 10, 2010 - The RM is to provide responses to the second round of questions.

The Board is to be provided an electronic copy of all questions and responses. In their response, the RM is to ensure they include the question and then the response to each item.

All information is to be made available at the hearing and will be recorded as exhibits.

Following the May 17, 2010 public hearing, the Board will deliberate and will issue an order. The rate directions of such an order would be based on the application of the RM, and all other information and/or evidence that may be provided ahead of the hearing or at the hearing by the RM and other parties present.

The Board's primary concern is to reflect and act in the public interest, and, accordingly, the Board reserves its right to establish such process or processes as it deems necessary and/or appropriate.

