

Order No. 111/16

**ORDER VARYING BOARD ORDER NO. 24/16
RURAL MUNICIPALITY OF WEST ST. PAUL
WASTEWATER INTERIM RATES**

August 22, 2016

REVISED SEPTEMBER 6, 2016

**BEFORE: The Hon. Anita Neville, P.C., B.A. (Hons.), Acting Chair
Carol Hainsworth, C.B.A., Member**

Summary:

The Rural Municipality of West St. Paul (RM) requested that the Public Utilities Board (Board) revise Board Order No. 24/16 to reflect the changes to wastewater commodity rates, basic customer service daily rates and annual participation fees charged by the City of Winnipeg (City) to the RM for utility services.

The City provided the RM with notice of these rate changes on May 5, 2016, and the City's wastewater and basic customer service daily rate changes are effective May 1, 2016, January 1, 2017 and 2018. The annual participation fee changes are effective January 1, 2015, 2016, 2017 and 2018.

The RM requested that the Board approve the revised 2016 wastewater rate effective April 1, 2016, rather than May 1, 2016, to coincide with the RM's billing and meter reading cycle.

After review, the Public Utilities Board (Board) varies Board Order No.24/16 as requested. The revised wastewater and basic customer service daily rates are effective April 1, 2016, January 1, 2017 and 2018. The revised annual participation fees are effective January 1, 2015.

	01-Jan-15	01-Jan-16	increase	01-Apr-16	increase	01-Jan-17	increase	01-Jan-18	increase
Wastewater /m ³ 0-272m ³	\$2.28	\$2.35	3%	\$2.40	2%	\$2.55	9%	\$2.80	9%
Wastewater /m ³ Over 272.1m ³	\$2.28	\$2.35	3%	\$2.40	2%	\$2.55	9%	\$2.80	9%
Annual participation fee	\$216.32	\$224.96	4%	\$224.96	0%	\$233.96	4%	\$243.31	4%
Basic customer service - daily rate*	\$0.140	\$0.160	14%	\$0.164	3%	\$0.196	23%	\$0.220	11%
Reconnection Fee	\$50.00	\$50.00	0%	\$50.00	0%	\$50.00	0%	\$50.00	0%

*Daily rate for a 5/8" meter – see Schedule "A" to this Board Order for detailed information for all meter sizes

Background:

On March 16, 2016 the Board issued Order 24/16 setting interim *ex parte* rates effective January 1, 2015, 2016 and 2017.

Request to Review and Vary:

The RM submitted a request on July 13, 2016 to revise Board Order No. 24/16 to reflect the rate changes imposed by the City of Winnipeg. Included with this request was Council Resolution No. 2016-352.

Board Order No. 24/16 indicated that the RM's wastewater rates are dictated by the City of Winnipeg wastewater rates. The RM's approved rates were based on the information available at the time.

The RM was informed of increases to the City's wastewater and service sharing agreement rates on May 5, 2016 and subsequently applied to the PUB for revised rates to align with the changes to the City's rates. These revised rates included a rate for 2018, which had not previously been approved by the PUB in Order No. 24/16.

Board Findings:

After considering the information filed and Board Order 24/16, the Board concludes that the Order is to be varied as requested, and as found in Schedule “A” to this Order.

The Board makes this decision to reflect the rates charged by the City of Winnipeg to the RM of West St Paul, as charging rates below those being requested would result in a deficit for the utility.

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.

IT IS HEREBY ORDERED THAT:

1. Public Utilities Board Order No.24/16 BE AND IS HEREBY VARIED as set out in Schedule "A" to this Order. Wastewater and basic customer service daily rates are effective January 1, 2015; January 1, 2016; April 1, 2016; January 1, 2017 and January 1, 2018. Annual participation fees are effective January 1, 2015, 2016, 2017 and 2018.
2. The Rural Municipality of West St. Paul amend its wastewater rate By-law for its Utility to reflect the decisions in this Order and submit a copy to the Public Utilities Board once it has received third and final reading.

Fees payable upon this Order - \$150.00

THE PUBLIC UTILITIES BOARD

"The Hon. ANITA NEVILLE, P.C.,B.A. (Hons.)"
Acting Chair

"JENNIFER DUBOIS, CPA, CMA"
Acting Secretary

Certified a true copy of Order No. 111/16
issued by The Public Utilities Board

Acting Secretary

RURAL MUNICIPALITY OF WEST ST. PAUL

BY-LAW NO. 2016-15

SCHEDULE "A"

Schedule of Quarterly Rates - January 1, 2015

1. Sewer Rates per Cubic Meter

0-272 m ³	\$2.28
Over 272.1 m ³	\$2.28

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges set out below in paragraph 2a.

a. Sewer Customers

Pipe Diameter (Meter Size)	Sewer Included (cubic meter)	Basic Customer Service		Administration Charge (\$60.00 annually)	Participation Fee (\$216.32 annually)	Reserve Charge (5% of Sewer Charge)	Sewer Commodity Charge (\$2.28)	Quarterly Total Minimum
		Daily Rate	Sewer					
5/8 inch	14	\$0.14	\$12.60	\$15.00	\$54.08	\$1.60	\$31.92	\$115.20
3/4 inch	28	\$0.144	\$12.96	\$15.00	\$54.08	\$3.19	\$63.84	\$149.07
1 inch	56	\$0.16	\$14.40	\$15.00	\$54.08	\$6.38	\$127.68	\$217.54
1 1/2 inch	140	\$0.192	\$17.28	\$15.00	\$54.08	\$15.96	\$319.20	\$421.52
2 inch	350	\$0.256	\$23.04	\$15.00	\$54.08	\$39.90	\$798.00	\$930.02
3 inch	630	\$0.744	\$66.96	\$15.00	\$54.08	\$71.82	\$1,436.40	\$1,644.26
4 inch	1,260	\$0.924	\$83.16	\$15.00	\$54.08	\$143.64	\$2,872.80	\$3,168.68
6 inch	2,380	\$1.344	\$120.96	\$15.00	\$54.08	\$271.32	\$5,426.40	\$5,887.76

Note: Basic charge based on an estimated daily rate (based on City Of Winnipeg rates). Numbers shown based on a span of 90 days.

b. Quarterly minimum charge will be different for each meter size as shown in the table above. The water from the customers private service shall be metered at the customer's cost. The charge will be based upon consumption as shown above with the water charge excluded.

RURAL MUNICIPALITY OF WEST ST. PAUL

BY-LAW NO. 2016-15

SCHEDULE "A"

Schedule of Quarterly Rates – January 1, 2016

1. Sewer Rates per Cubic Meter

0-272 m ³	\$2.35
Over 272.1 m ³	\$2.35

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges set out below in paragraph 2a.

a. Sewer Customers

Pipe Diameter (Meter Size)	Sewer Included (cubic meter)	Basic Customer Service		Administration Charge (\$60.00 annually)	Participation Fee (\$224.96 annually)	Reserve Charge (5% of Sewer Charge)	Sewer Commodity Charge (\$2.35)	Quarterly Total Minimum
		Daily Rate	Sewer					
5/8 inch	14	\$0.160	\$14.40	\$15.00	\$56.24	\$1.65	\$32.90	\$120.19
3/4 inch	28	\$0.172	\$15.48	\$15.00	\$56.24	\$3.29	\$65.80	\$155.81
1 inch	56	\$0.192	\$17.28	\$15.00	\$56.24	\$6.58	\$131.60	\$226.70
1 1/2 inch	140	\$0.216	\$19.44	\$15.00	\$56.24	\$16.45	\$329.00	\$436.13
2 inch	350	\$0.288	\$25.92	\$15.00	\$56.24	\$41.13	\$822.50	\$960.79
3 inch	630	\$0.804	\$72.36	\$15.00	\$56.24	\$74.03	\$1,480.50	\$1,698.13
4 inch	1,260	\$0.996	\$89.64	\$15.00	\$56.24	\$148.05	\$2,961.00	\$3,296.93
6 inch	2,380	\$1.444	\$129.96	\$15.00	\$56.24	\$279.65	\$5,593.00	\$6,073.85

Note: Basic charge based on an estimated daily rate (based on City of Winnipeg average yearly increases). Numbers shown based on a span of 90 days.

b. Quarterly minimum charge will be different for each meter size as shown in the table above. The water from the customers private service shall be metered at the customer's cost. The charge will be based upon consumption as shown above with the water charge excluded.

RURAL MUNICIPALITY OF WEST ST. PAUL

BY-LAW NO. 2016-15

SCHEDULE "A"

Schedule of Quarterly Rates - April 1, 2016

1. Sewer Rates per Cubic Meter

0-272 m ³	\$2.40
Over 272.1 m ³	\$2.40

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges set out below in paragraph 2a.

a. Sewer Customers

Pipe Diameter (Meter Size)	Sewer Included (cubic meter)	Basic Customer Service		Administratio n Charge (\$60.00 annually)	Participation Fee (\$224.96 annually)	Reserve Charge (5% of Sewer Charge)	Sewer Commodity Charge (\$2.40)	Quarterly Total Minimum
		Daily Rate	Sewer					
5/8 inch	14	\$0.164	\$14.76	\$15.00	\$56.24	\$1.68	\$33.60	\$121.28
3/4 inch	28	\$0.172	\$15.48	\$15.00	\$56.24	\$3.36	\$67.20	\$157.28
1 inch	56	\$0.192	\$17.28	\$15.00	\$56.24	\$6.72	\$134.40	\$229.64
1 1/2 inch	140	\$0.216	\$19.44	\$15.00	\$56.24	\$16.80	\$336.00	\$443.48
2 inch	350	\$0.288	\$25.92	\$15.00	\$56.24	\$42.00	\$840.00	\$979.16
3 inch	630	\$0.804	\$72.36	\$15.00	\$56.24	\$75.60	\$1,512.00	\$1,731.20
4 inch	1,260	\$0.996	\$89.64	\$15.00	\$56.24	\$151.20	\$3,024.00	\$3,336.08
6 inch	2,380	\$1.444	\$129.96	\$15.00	\$56.24	\$285.60	\$5,712.00	\$6,198.80

Note: Basic charge based on an estimated daily rate (based on City of Winnipeg average yearly increases). Numbers shown based on a span of 90 days.

b. Quarterly minimum charge will be different for each meter size as shown in the table above. The water from the customers private service shall be metered at the customer's cost. The charge will be based upon consumption as shown above with the water charge excluded.

**RURAL MUNICIPALITY OF WEST ST. PAUL
BY-LAW NO. 2016-15
SCHEDULE "A"**

Schedule of Quarterly Rates - January 1, 2017

1. Sewer Rates per Cubic Meter

0-272 m ³	\$2.55
Over 272.1 m ³	\$2.55

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges set out below in paragraph 2a.

a. Sewer Customers

Pipe Diameter (Meter Size)	Sewer Included (cubic meter)	Basic Customer Service		Administration Charge (\$60.00 annually)	Participation Fee (\$233.96 annually)	Reserve Charge (5% of Sewer Charge)	Sewer Commodity Charge (\$2.55)	Quarterly Total Minimum
		Daily Rate	Sewer					
5/8 inch	14	\$0.196	\$17.64	\$15.00	\$58.49	\$1.79	\$35.70	\$128.62
3/4 inch	28	\$0.204	\$18.36	\$15.00	\$58.49	\$3.57	\$71.40	\$166.82
1 inch	56	\$0.224	\$20.16	\$15.00	\$58.49	\$7.14	\$142.80	\$243.59
1 1/2 inch	140	\$0.252	\$22.68	\$15.00	\$58.49	\$17.85	\$357.00	\$471.02
2 inch	350	\$0.328	\$29.52	\$15.00	\$58.49	\$44.63	\$892.50	\$1,040.14
3 inch	630	\$0.884	\$79.56	\$15.00	\$58.49	\$80.33	\$1,606.50	\$1,839.88
4 inch	1,260	\$1.088	\$97.92	\$15.00	\$58.49	\$160.65	\$3,213.00	\$3,545.06
6 inch	2,380	\$1.568	\$141.12	\$15.00	\$58.49	\$303.45	\$6,069.00	\$6,587.06

Note: Basic charge based on an estimated daily rate (based on City Of Winnipeg average yearly increases). Numbers shown based on a span of 90 days.

b. Quarterly minimum charge will be different for each meter size as shown in the table above. The water from the customers private service shall be metered at the customer's cost. The charge will be based upon consumption as shown above with the water charge excluded.

RURAL MUNICIPALITY OF WEST ST. PAUL

BY-LAW NO. 2016-15

SCHEDULE "A"

Schedule of Quarterly Rates - January 1, 2018

1. Sewer Rates per Cubic Meter

0-272 m ³	\$2.80
Over 272.1 m ³	\$2.80

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges set out below in paragraph 2a.

a. Sewer Customers

Pipe Diameter (Meter Size)	Sewer Included (cubic meter)	Basic Customer Service		Administration Charge (\$60.00 annually)	Participation Fee (\$243.31 annually)	Reserve Charge (5% of Sewer Charge)	Sewer Commodity Charge (\$2.80)	Quarterly Total Minimum
		Daily Rate	Sewer					
5/8 inch	14	\$0.220	\$19.80	\$15.00	\$60.83	\$1.96	\$39.20	\$136.79
3/4 inch	28	\$0.228	\$20.52	\$15.00	\$60.83	\$3.92	\$78.40	\$178.67
1 inch	56	\$0.248	\$22.32	\$15.00	\$60.83	\$7.84	\$156.80	\$262.79
1 1/2 inch	140	\$0.276	\$24.84	\$15.00	\$60.83	\$19.60	\$392.00	\$512.27
2 inch	350	\$0.360	\$32.40	\$15.00	\$60.83	\$49.00	\$980.00	\$1,137.23
3 inch	630	\$0.956	\$86.04	\$15.00	\$60.83	\$88.20	\$1,764.00	\$2,014.07
4 inch	1,260	\$1.176	\$105.84	\$15.00	\$60.83	\$176.40	\$3,528.00	\$3,886.07
6 inch	2,380	\$1.696	\$152.64	\$15.00	\$60.83	\$333.20	\$6,664.00	\$7,225.67

Note: Basic charge based on an estimated daily rate (based on City Of Winnipeg average yearly increases). Numbers shown based on a span of 90 days.

b. Quarterly minimum charge will be different for each meter size as shown in the table above. The water from the customers private service shall be metered at the customer's cost. The charge will be based upon consumption as shown above with the water charge excluded.

Clauses 3 to 12 are Effective January 1, 2015**3. Billings and Penalties**

Accounts shall be billed quarterly based on meter readings. A late payment penalty charge of 1.25% monthly shall be charged on the dollar amount owing after the billing due date. The due date will be no less than fourteen (14) days and no more than thirty (30) days after the mailing of the bills. Late payment charges will be compounded monthly and will appear on the penalized customer's next quarterly bill if unpaid.

4. Outstanding Bills

Pursuant to Section 252(2) of the Municipal Act, the amount of all outstanding charges for sewer services, including fines and penalties, 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, the Chief Administrative Officer may add said charges and penalties to the taxes on the property and collect them in the same manner as other taxes.

5. New Connections

The Rural Municipality of West St. Paul shall charge the amount of fifty (\$50.00) dollars to connect a new service.

6. Disconnections

The Public Utilities Board has approved the Conditions Precedent (Order No. 39/09) to be followed by the RM 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 are available for inspection at the RM 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 fifty (\$50.00) dollars have been paid.

8. Meter Testing

Any customer wishing to have a meter tested for accuracy will pay in advance a fee of

- \$82.00+GST (5/8 and 3/4 inch)
- \$203.00+GST (one inch and larger)

plus any applicable meter testing costs. In the event the meter tests prove that the meter is recording water flows more than 3% in excess of actual flows, the meter testing fee and associated costs will be refunded to the customer and the customer's account will be reviewed and adjusted accordingly.

9. Meter Tampering

Where there is evidence of meter tampering a minimum charge of five hundred (\$500.00) dollars will be applied to the customer's account in addition to an amount calculated to adjust for the tampering based on historical usage.

10. 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.

11. 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 RM's water system. If a condition is found to exist and, in the opinion of the RM, is contrary to the aforesaid, the RM may either:

- Shut off the service or services; or
- 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 RM shall proceed in accordance with clause 6 of this by-law.

12. Authorization for Officer to Enter Upon Premises

The Public Works Manager, or other employee authorized by the RM 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 RM.