

May 3, 2017

Honourable Cameron Friesen
Minister Responsible for the Public Utilities Board
103 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Minister Friesen:

Re: 2016-17 Annual Report, The Public Utilities Board

Pursuant to subsection 109(1) of *The Public Utilities Board Act*, and on behalf of all Board members, I am pleased to submit the Annual Report of the Public Utilities Board ("PUB or Board") for the year ended March 31, 2017. The year under review was the PUB's 104th year of service to Manitoba.

A total of twelve (12) Board members, eleven (11) of whom are part-time, participated in the PUB's deliberations during the year.

A staff of eight (8) employees and a roster of advisors supported the Board members.

The Board was also assisted by the approved interveners and their advisors.

Various individuals also appeared before the Board during its proceedings, either as witnesses, experts or presenters.

As a result of those contributions, the PUB achieved the results outlined in this report.

Thank you to you and the members of your department for the support of the PUB's work.

Sincerely,



Robert Gabor, Q.C.
Chair

Le 3 mai 2017

Monsieur Cameron Friesen
Ministre responsable de la Régie des services publics
Bureau 103, Palais législatif
Winnipeg (Manitoba)
R3C 0V8

Objet : Rapport annuel 2016-2017 de la Régie des services publics

Monsieur le Ministre,

Conformément aux dispositions du paragraphe 109(1) de la *Loi sur la Régie des services publics*, j'ai le privilège de vous présenter, de la part des autres membres de la Régie et en mon nom propre, le Rapport annuel de la Régie des services publics (la « Régie ») pour l'exercice qui s'est terminé le 31 mars 2017. L'exercice visé par le rapport était la 104^e année d'activité de la Régie au service du Manitoba.

Au total, douze (12) membres de la Régie, dont onze (11) étaient des membres à temps partiel, ont participé aux délibérations de la Régie au cours de l'exercice.

Un personnel de huit (8) employés et un groupe de conseillers professionnels ont soutenu les membres de la Régie.

La Régie a également bénéficié de l'aide des intervenants approuvés et de leurs conseillers.

Diverses personnes se sont également présentées devant la Régie au cours de ses délibérations, en qualité de témoins, d'experts ou de présentateurs.

Grâce à ces contributions, la Régie a atteint les résultats exposés dans le présent rapport.

En vous remerciant, le personnel de votre ministère et vous-même, du soutien apporté au travail de la Régie, je vous prie d'agréer, Monsieur le Ministre, l'expression de mes sentiments les meilleurs.

Le président,



Robert Gabor, c.r.

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HIGHLIGHTS

Board Membership

The following people were appointed to the Board of the PUB during the reporting period from April 1, 2016 – March 31, 2017 (the “Reporting Period”):

<i>Member</i>	<i>Date of Appointment</i>	<i>Term Expires</i>
Larry Ring	June 8, 2016	September 20, 2018
Carol Hainsworth	June 8, 2016	September 20, 2018
Susan Nemeč	June 8, 2016	September 20, 2019
Sharon McKay	September 21, 2016	September 20, 2019
Shawn McCutcheon	September 21, 2016	September 20, 2019
Rheal Teffaine, Q.C.	September 21, 2016	September 20, 2019
Robert Gabor Q.C. (Chair)	September 6, 2016	At pleasure of GIC

All members are appointed at pleasure. The Lieutenant-Governor in Council established appointment terms for the six (6) new part-time members in addition to the five (5) continuing part-time members.

The continuing part-time members are:

<i>Member</i>	<i>Date of Appointment</i>	<i>Term Expires</i>
Karen Botting (Vice-Chair)	July 23, 2012	July 23, 2017
Hon. Anita Neville, P.C.	July 23, 2012	July 23, 2017
Al Morin	December 18, 2013	December 18, 2017
Marilyn Kapitany	July 23, 2012	July 23, 2018
Hugh Grant	December 18, 2013	December 18, 2018

Mandate

The PUB is an independent quasi-judicial administrative tribunal. It operates pursuant to The Public Utilities Board Act and is responsible for the regulation of public utilities and other matters as defined under the Act. Other enactments assigning regulatory and/or adjudicative responsibilities to the PUB are:

The Crown Corporations and Public Review and Accountability Act

The Greater Winnipeg Gas Distribution Act

The Gas Allocation Act

The Gas Pipeline Act

The Prearranged Funeral Services Act (to be transferred in 2017)

The City of Winnipeg Act (passenger carrier agreements)

The Manitoba Water Services Board Act (Appeals)

The Highways Protection Act (Appeals)

The Emergency 911 Public Safety Answering Point Act (Appeals)

The Consumer Protection Act (Payday Loans and Government Cheque Cashing)

The Municipal Act

The entities regulated by the Board are Manitoba Hydro, Centra Gas Manitoba Inc. (a wholly owned subsidiary of Manitoba Hydro), Manitoba Public Insurance, Stittco Utilities Man Ltd., and approximately three hundred municipal, cooperative and private water and sewer utilities. With respect to the City of Winnipeg's water and sewer utility operations, the Board has regulatory jurisdiction except for rate setting. Municipal water and sewer utilities owned and operated by the Manitoba Water Services Board are excluded from the Board's jurisdiction, except that customers may appeal decisions of the Manitoba Water Services Board to the Public Utilities Board. The PUB also oversees specific activities related to gas marketers, payday loans, government cheque cashing and pre-arranged funeral services.

There were no changes in the PUB Mandate during the Report Period.

Strategic plan

The PUB's 2013-2017 Strategic Plan was developed after consulting various stakeholders, including utilities, interveners of record and organizations that are involved with the PUB regulatory process. The complete Strategic Plan can be reviewed at <http://www.pubmanitoba.ca>.

At the end or the beginning of each calendar year, the PUB establishes its annual priorities for the calendar year then under consideration to achieve its overall strategic priorities.

The four strategic priorities for the 2013-2017 period are:

1. Effective communications and relationships;
2. Excellence in the provision of regulatory decisions;
3. Efficient internal operations; and
4. PUB 2020

Highlights of the priorities in 2016-2017 include the following:

1. **Effective communications and effective relationships:**

PUB Review

In December, 2016 the PUB commenced a process to review a number of its procedures (collectively the "PUB Review"). The goal of the PUB Review is to strive to provide regulatory services in an efficient and cost-effective manner.

To be successful the Board determined the PUB Review required consultation with stakeholders who appear before it on a regular basis (as an applicant or an intervener). The Board directed PUB staff to hold individual meetings with these stakeholders in order to facilitate a full and frank discussion on how existing processes could be improved. There was concern the stakeholders could be less forthright discussing such matters with Board members in attendance. A list of proposed issues was circulated to all stakeholders. The meetings took place in the first quarter of 2017 and the PUB received thoughtful proposals which will form the

basis of position papers on revisions to existing PUB procedures and/or policies that will be circulated in phase 2 of the PUB Review.

New Website

In 2015 the PUB initiated a revamp of its website. It was redesigned and streamlined to make it easier for the public to use and increase utility for stakeholders. As a result, the new site can be updated and amended by PUB staff. The site can be found at <http://www.pubmanitoba.ca>. The site went live in March, 2017.

Meetings with Key Stakeholders

The chair of the PUB met and communicated with key stakeholders during the year including the Chair and President/CEO of Manitoba Hydro, Chair and President/CEO of Manitoba Public Insurance, representatives of different municipal water/wastewater utilities, and the President of local chapter of the Manitoba Industrial Power Users Group (MIPUG). These meetings were to discuss issues of interest to the parties but did not involve any issues related to a PUB order or that required a decision and would be better reviewed at a public hearing.

Changes to Public Notice

The PUB sought to improve the form, content, and distribution of its notices that advise the public of an application before the PUB. The PUB wanted a notice that was shorter and easier to understand in order to promote greater public participation in the hearing process. Such participation could occur either through requests for intervention or presentations to the Board panel hearing an application. The template for the new notice was created and will be used by the PUB for applications received during 2017/18.

2. Excellence in the provision of regulatory decisions.

PUB Review

The PUB Review is focussed on key Board procedures: (1) the pre-hearing processes for applications by Manitoba Hydro, Centra Gas and Manitoba Public Insurance; (2) the current intervener policy; and (3) the current rules for the handling of confidential information (collectively the “PUB Review”). The key principles behind the Review are:

- Effective and innovative processes and decisions for Manitobans
 - requires accurate and timely information
 - leads to increased public trust
- Ongoing dialogue between hearings

Phase 1 of the PUB Review consisted of PUB staff meeting with stakeholders, as set out above. The issues discussed fell into specific categories: pre-hearing process considerations;

application considerations; pre-hearing conference considerations; discovery phase of the review; hearing phase; and Board order(s).

The discussions between PUB staff with each of the stakeholders were candid and most meetings required a full day.

In Phase 2 of the PUB Review a position paper on proposed revisions to PUB procedures and/or policies (based on the Phase 1 discussions) will be circulated to the stakeholders for their consideration and put on the PUB web site. In Phase 3 the Board will hold an informal meeting for all stakeholders in the PUB's hearing room where the stakeholders and members of the public may voice their opinions on the documents before the entire Board. The Board will consider the comments of stakeholders and the public and revise PUB policies and/or procedures, notify all interested parties, and place notice of the revised procedures and policies on the PUB website.

Changes Introduced

- The PUB completed a review of natural gas safety policies and reporting requirements.
- Concurrent expert evidence and workshops were used during MPI's rate application. In addition there were technical conferences for the applicant and interveners to deal with specific technical issues. The processes will be repeated in the next General Rate Application with the PUB staff taking a more active role in facilitating the workshops and conferences.
- The PUB has approved in principle the process of revising the water and waste water application process. The revised process, which will be implemented in 2017/18, will see more focused Minimum Filing Requirements and the PUB will allow utilities to increase rates a pre-authorized amount without the necessity of filing a full application provided that specified financial documents are filed. The Board will require full applications only every 3-4 years and will focus its attention on those utilities which require greater oversight. It is anticipated the current backlog and time delay will be reduced significantly over 2-3 years without additional resources.
- The PUB is actively reviewing its policies regarding the funding awards granted by the Board in supporting interventions. The PUB is seeking a commitment for active participation from the interveners during the entire hearing process (from the time the application is filed). It is also looking at linking the amount of the cost awarded to an intervener to the amount and value of the participation of each intervener.

Efficient Internal Operations

The PUB will continue to look for operational efficiencies to make the best possible use of resources in fulfilling its mandate and delivering on its vision and mission.

- The PUB completed its program of digitizing of historical records comprising of 800,000 documents and making the filings and documents available in digital format.
- All filings by applicants and interveners are now made digitally.
- The PUB introduced improved technology (SmartBoard) for remote communications and information sharing (SharePoint) with PUB members and advisers.
- The PUB introduced changes in its new web site so that members of the public could file comments and complaints electronically.
- The PUB continues to invest in Board and staff education programs so they can carry out their respective duties more effectively.

PUB 2020

To meet its vision of effective, innovative regulatory processes and decisions for Manitobans, the PUB will continue to take a long-term view and build for the future. Most importantly, the PUB is seeking legislative changes that will bring *The Public Utilities Board Act* in line with the standards followed in other Canadian jurisdictions. It is also communicating with other Canadian jurisdictions on a regular basis and meeting with representatives of other Canadian utility regulators at conferences and discussing how to follow best practices to the greatest extent possible based on its resources.

PUB Operational Priorities

The Board revised its short-term external and internal operational priorities for the 2016-2017 fiscal year:

External priorities:

- Issue an Order regarding the PUB's gas safety policy. **DONE**
- Address the Cost of Service application from Manitoba Hydro. **DONE**
- Address water and wastewater rate and deficit applications with a view to streamlining processes and reducing the backlog of applications. **UNDER WAY**
- Develop a process to bring the voice of small and medium-sized business to PUB proceedings. **UNDER WAY**
- Follow up on Board directives from prior PUB Orders and deal with outstanding compliance issues. **REQUIRE NEW POWERS TO ENFORCE ORDERS**

- Develop a policy to deal with the funding of interveners in PUB processes. **PART OF PUB REVIEW**

Internal priorities:

- Revamp the PUB website to improve ease of access by the public. **DONE**
- Improve hearing room technology to allow interested parties from outside Winnipeg to participate in the PUB processes. **UNDER STUDY**
- Integrate SharePoint software to improve the efficiency of Utility filings with the PUB. **UNDER WAY**
- Complete the overhaul of the PUB's filing system and the digitization of paper documents to improve information management. **DONE**
- Update the PUB Board Orientation Manual to allow more effective integration of new PUB Board members. **DONE**. Available in hard and e-copies and provided to all new Board members.
- Creation of a new PUB employee orientation manual. **DONE**

PUB Decisions

PUB decisions relating to the rate applications of the major utilities usually focus on issues specific to either the utility and/or the application being considered.

Some issues are routinely addressed by the PUB when considering rate applications by Manitoba Hydro, Centra Gas and Manitoba Public Insurance, the major crown corporations.

- The PUB scrutinizes operating and maintenance costs, in part because of the steady increase in those expenses, related in part to increasing employee levels, and investments in infrastructure;
- The PUB reviews and approves capital expenditures for MPI and Centra Gas which is critical as they figure so prominently in the rate requests. The PUB is excluded by statute from reviewing and approving capital expenditures for Manitoba Hydro;
- Given that they are monopoly service providers and not subject to competition, where possible, the PUB targets the benchmarking of operating results in order to evaluate the utility's performance from year to year and relative to utilities providing similar services in other jurisdictions; and
- Accounting standards for utilities are in continuous evolution. International Financial Reporting Standards (IFRS), for example, are impacting all rate regulated utilities. The PUB extensively examines accounting changes and their impact on rates.

PUB is the appeal body for Highway Traffic Board decisions. The Board weighs the needs of the appellant and community with the requirements of Manitoba Infrastructure and safety provisions pertaining to the motoring public.

Municipal water and sewer rates do not always reflect the true cost of providing services. The PUB has made it a priority to correct this situation by ensuring that costs are properly accounted for, deficits are addressed, rate increases are timely and municipalities are not subsidizing rates via tax revenues.

When addressing electricity and natural gas applications, the PUB thoroughly considers energy efficiency plans, emphasizing the need for improved customer awareness of energy efficiency programs and the savings that can be achieved by insulation and furnace upgrades. The PUB also emphasizes the need to make energy efficiency programs accessible to low-income ratepayers as a means of mitigating the impact of future electricity rate increases. The PUB anticipates these responsibilities will increase significantly with the introduction of the Efficiency Manitoba Act.

The PUB considers safety of citizens to be a high priority. The PUB continues to be very attentive to safety issues. Pipeline and gas distribution safety is a major consideration when reviewing the activities and services of Centra Gas and Stittco Utilities Manitoba Inc. The PUB carefully reviews the road safety expenditures made by Manitoba Public Insurance.

Infrastructure renewal and investment is an ongoing issue for all Manitoba utilities. The PUB has made it a priority to examine infrastructure investments. Rate decisions often address funding to support infrastructure investments. Manitoba Hydro's plans encompass significant infrastructure expenditures over the next decade. MPI makes significant investments in technology, specifically in its computer systems and software applications. These capital expenditures continue to be closely examined by the PUB.

The PUB continues to closely examine the reserve and equity levels of all utilities. Utility reserves or equity, if adequate, allow utilities to mitigate the impact of unexpected expenditures or cope with revenue shortfalls without resorting to significant rate increases which can lead to rate shock.

- Manitoba Hydro is making very significant electricity infrastructure expenditures that will lead to a very material reduction in its equity levels. Manitoba Hydro's other risks include inclement weather, such as drought, and infrastructure damage or equipment failure, and export market price fluctuations.
- MPI is at risk from inclement weather, interest rate and stock market fluctuations. The determination of a target level of reserves for MPI's basic line of business has been an issue for a number of years. The Board's most recent Order on insurance rates taking effect on March 1, 2017 reviewed the methodology for determining the minimum and maximum rate reserve levels for its basic line of insurance, and mandated a series of technical conferences on the issue to occur before the next filing.
- The adequacy of financial reserves and working capital levels of water and sewer utilities have been a continuing preoccupation of the PUB. Board decisions have addressed deficits, shortfalls in reserves and working capital levels when necessary. In the case of water and sewer utilities, the major risk involves regulatory changes and expensive repairs because of system breakdowns.

Gas Marketers

The PUB's Code of Conduct for gas marketers is intended to mitigate consumer complaints of aggressive and fraudulent marketing practices of natural gas marketers selling to residential customers. A key feature of the Code gives consumers a mandatory 48 hour waiting period before a contract can be executed. This is accomplished by the customer signing an "Intent to Buy" agreement with a gas marketer followed by the signing on an actual contract after 48 hours should the customer wish to enter into a contract. The Code requires improved marketer training and mandatory natural gas rate comparison disclosures so consumers can make informed decisions without the pressure tactics of some marketers. The number of complaints received by the Board about gas marketers have dropped significantly since the Code of Conduct was introduced.

Board Orders

All Orders issued by the Board are posted on the PUB's website: <http://www.pubmanitoba.ca>.

A list of all Board Orders issued during the reporting period is annexed to this report.

Numerous rate applications approved by the Board are based on preset formulas for calculating rates; Manitoba Hydro's weekly surplus energy rates, Stittco's propane gas rates and Centra Gas' quarterly Primary Gas rates are calculated on such a basis. Typically, these applications are considered on an ex parte (without public consultation) basis.

Applications may be made by the utility or impacted parties requesting that the PUB review and vary its decisions. Board decisions on a Review and Vary application may be appealed to the Manitoba Court of Appeal; there were no appeals launched during the Reporting Period.

In summary, the PUB issued 155 Orders and 39 licences in 2016-17 (2015-16: 156 Orders and 42 licences).

Assigned Duties

Pursuant to section 107 of *The Public Utilities Board Act*, the PUB may be assigned duties by Act or resolution of the legislature, by order of the Lieutenant Governor in Council or as an appellate or arbitrating body under an agreement between a municipality and the owner of a public utility.

No such duties were assigned to the PUB during 2016-17.

Pay Day Loans

Pursuant to section 164(2) of *The Consumer Protection Act (Manitoba)*, the PUB was required to conduct a review of issues related to pay day loans within three years after MR. 50/2010 came into force. The PUB submitted that report to the Government on September 23, 2013.

Pursuant to section 164.1(2) of *The Consumer Protection Act (Manitoba)*, every third year, the Minister responsible must review the effectiveness of Part XVIII of that Act and the related regulation and decide whether to require a further review by the PUB in accordance with section 164 of the Act.

By his letter received June 30, 2015, the Minister responsible asked the PUB to review, no later than 2016, the maximum payday loan limits. The PUB completed a public hearing and provided a report to the Minister on June 17, 2016.

Government Cheque-Cashing

The PUB is required to review government cheque cashing rates on a triennial basis and make a report to Government. Under Order 105/16, dated August 8, 2016, the Board set the maximum fees for cashing or negotiating government cheques in accordance with *The Consumer Protection Act (Manitoba)*. Government cheques include cheques of the Government of Canada, Province of Manitoba and any government agency listed in the Government Cheque Cashing Fees Regulation. The Board also provided a series of recommendations to the Government.

PUB Inquiries

Pursuant to subsection 27(1) of *The Public Utilities Board Act*, the Board may of its own motion, and will upon the request of the Legislature or the Lieutenant Governor in Council, inquire into, hear, and determine any matter or thing within its jurisdiction.

During 2016-17, no inquiries were undertaken by the PUB and, consequently, no related Orders or reports were issued by the Board.

PUB Award of Costs

Pursuant to Section 56 of *The Public Utilities Board Act*, the Board has jurisdiction to award costs of, and incidental to, any proceeding.

The Board's Rules of Practice and Procedure (Rules) reflect that the Board may award costs to be paid to an intervener who has:

1. made a significant contribution that is relevant to the proceeding and contributed to a better understanding, by all parties, of the issues before the Board;

2. participated in the hearing in a responsible manner and cooperated with other Interveners with common objectives in the outcome of the proceedings in order to avoid a duplication of intervention;
3. insufficient financial resources to present the case adequately without an award of costs; and
4. a substantial interest in the outcome of the proceeding, and represents the interests of a substantial number of the ratepayers.

The Board issued a number of Orders related to the award of costs to individual approved interveners after hearings involving issues relating to Manitoba Hydro and MPI. The issue of awarding costs to interveners is being considered during the PUB Review.

PUB Fees

Fees assessed by the PUB are paid by applicants, utilities and licensees to the Minister of Finance and added to the Manitoba Government's Consolidated Revenue Fund. The fee schedule has remained unchanged since 1994.

Fees payable to the Minister of Finance by utilities and persons who are parties to, or interested in, matters coming before the PUB are set out in the Public Utilities Board Fees Regulation and amendments as prescribed by the PUB pursuant to s. 57 of *The Public Utilities Board Act*.

PUB Financial Results

PUB fees are paid into the Consolidated Revenue Fund. Expenses of the PUB are paid out of the departmental appropriation; the budget amount is determined via the government's appropriation process. Unspent appropriated funds are not accumulated in PUB reserves.

The PUB spent a total of \$1.497 million, slightly higher than the \$1.472 million spent its previous fiscal year. The increased costs reflect the PUB's lower operating costs, but higher salaries and benefits costs. The supplemental funds were provided to the PUB by the Department of Finance. If any appropriation is unspent, the funding does not accumulate in reserves.

The PUB's aggregate operating costs, which include the PUB's costs funded by government and those paid by the major utilities (such as most of the costs of the PUB's advisors) totaled \$5.217 million compared to \$4.753 million during 2016-17.

The PUB directs utilities and applicants to pay the costs of PUB advisors. By Board Order, the PUB requires utilities and applicants to pay all or a portion of the costs incurred by interveners in its hearings. The costs are paid directly by the utilities and applicants to the parties that have been granted cost awards after review and approval of the costs by the utilities and applicants and the PUB. These payments are not made to the PUB or the Consolidated Revenue Fund.

Legal Matters

There were no legal proceedings involving the PUB in 2016-17.

FAITS SAILLANTS

Membres de la Régie

Les personnes suivantes ont été nommées à la Régie pendant la période visée par le rapport, du 1^{er} avril 2016 au 31 mars 2017 (la « période visée par le rapport ») :

<i>Membre</i>	<i>Date de nomination</i>	<i>Date d'expiration du mandat</i>
Larry Ring	8 juin 2016	20 septembre 2018
Carol Hainsworth	8 juin 2016	20 septembre 2018
Susan Nemeč	8 juin 2016	20 septembre 2019
Sharon McKay	21 septembre 2016	20 septembre 2019
Shawn McCutcheon	21 septembre 2016	20 septembre 2019
Rheal Teffaine, c.r.	21 septembre 2016	20 septembre 2019
Robert Gabor, c.r. (président)	6 septembre 2016	Selon le bon plaisir du gouverneur en conseil

Tous les membres de la Régie sont nommés à titre amovible. Le lieutenant-gouverneur en conseil a établi les mandats des six (6) nouveaux membres à temps partiel en plus des cinq (5) membres à temps partiel actuels.

Voici les membres à temps partiel actuels :

<i>Membre</i>	<i>Date de nomination</i>	<i>Date d'expiration du mandat</i>
Karen Botting (vice-présidente)	23 juillet 2012	23 juillet 2017
Anita Neville, c.p.	23 juillet 2012	23 juillet 2017
Al Morin	18 décembre 2013	18 décembre 2017
Marilyn Kapitany	23 juillet 2012	23 juillet 2018
Hugh Grant	18 décembre 2013	18 décembre 2018

Mandat

La Régie est un tribunal administratif indépendant, quasi-judiciaire. Elle exerce ses activités conformément à la *Loi sur la Régie des services publics* et est responsable de la réglementation des services publics et d'autres questions comme cela est défini dans la Loi. D'autres lois définissent les responsabilités de la Régie en matière de réglementation et de décision :

la Loi sur l'examen public des activités des corporations de la Couronne et l'obligation redditionnelle de celles-ci

la Loi sur la distribution du gaz dans la conurbation de Winnipeg

la Loi sur la répartition du gaz

la Loi sur les gazoducs

la Loi sur les arrangements préalables de services de pompes funèbres (dont le transfert est prévu en 2017)

la Loi sur la Ville de Winnipeg (ententes sur le transport de personnes)

la Loi sur la Commission des services d'approvisionnement en eau du Manitoba (appels)

la Loi sur la protection des voies publiques (appels)

la *Loi sur les centres téléphoniques de sécurité publique - service d'urgence 911* (appels)
la *Loi sur la protection du consommateur* (prêts de dépannage et encaissement des chèques du gouvernement)
la *Loi sur les municipalités*

Les entités réglementées par la Régie sont Manitoba Hydro, Centra Gas Manitoba Inc. (une filiale en propriété exclusive de Manitoba Hydro), la Société d'assurance publique du Manitoba (SAPM), Stittco Utilities Man Ltd. et quelque trois cents services d'eau et d'égouts municipaux, coopératifs et privés. La Régie jouit des pouvoirs de réglementation relatifs aux activités des services d'eau et d'égouts de la Ville de Winnipeg, à l'exception de ce qui a trait à l'établissement des tarifs. Les services d'eau et d'égouts municipaux qui appartiennent à la Commission des services d'approvisionnement en eau du Manitoba et que celle-ci exploite sont exclus des compétences de la Régie, si ce n'est que les clients peuvent interjeter appel des décisions de la même Commission devant la Régie. Celle-ci surveille également des activités particulières liées aux agents de commercialisation du gaz, aux prêts sur salaire, à l'encaissement de chèques du gouvernement et aux arrangements préalables de services de pompes funèbres.

Aucune modification n'a été apportée au mandat de la Régie pendant la période visée par le Rapport.

Plan stratégique

La Régie a élaboré son Plan stratégique 2013-2017 après avoir consulté diverses parties intéressées, dont les services publics, les intervenants inscrits ainsi que les organisations participant au processus de réglementation de la Régie. La version complète du Plan stratégique (en anglais seulement) est accessible à la page <http://www.pubmanitoba.ca>.

À la fin ou au début de chaque année civile, la Régie établit ses priorités annuelles pour l'année civile visée en vue d'atteindre ses objectifs stratégiques prioritaires.

Les quatre objectifs stratégiques prioritaires pour la période 2013-2017 sont les suivants :

1. l'efficacité des communications et des relations;
2. l'excellence dans la communication des décisions réglementaires;
3. l'efficacité du fonctionnement interne;
4. Régie 2020.

Voici quelques points saillants concernant les priorités en 2016-2017 :

1. L'efficacité des communications et des relations

Examen de la Régie

En décembre 2016, la Régie a amorcé un processus d'examen de certaines de ses procédures (globalement appelé « Examen de la Régie » ou « Examen »). L'Examen de la Régie vise à fournir des services de réglementation de manière efficiente et économique.

La Régie avait établi que, pour réussir, l'Examen devait inclure des consultations avec les parties intéressées qui se présentaient régulièrement (en qualité de demandeur ou d'intervenant) devant elle. La Régie a demandé à son personnel d'organiser des rencontres individuelles avec ces parties intéressées afin de faciliter la tenue de discussions exhaustives et ouvertes sur les améliorations pouvant être apportées aux processus existants. On s'inquiétait de la possibilité que les parties intéressées s'expriment moins franchement si elles discutaient de ce genre de questions en présence des membres de la Régie. Une liste des questions proposées a été diffusée à toutes les parties intéressées. Les rencontres ont eu lieu au premier trimestre 2017 et la Régie a reçu des propositions réfléchies qui serviront de fondements à des exposés de position sur des révisions aux procédures ou politiques existantes de la Régie. Ces exposés seront diffusés au cours de la phase 2 de l'Examen de la Régie.

Nouveau site Web

En 2015, la Régie a amorcé une refonte de son site Web, qui a été totalement remanié et rationalisé afin d'en faciliter l'utilisation par le public et d'en accroître l'utilité pour les parties intéressées. Désormais, le nouveau site peut être actualisé et modifié par le personnel de la Régie. Il a été lancé en mars 2017 (<http://www.pubmanitoba.ca/v1/index.html>, en anglais seulement).

Réunions avec les principales parties intéressées

Au cours de l'exercice, le président de la Régie a rencontré les principales parties intéressées et communiqué avec elles, en particulier le président-directeur général de Manitoba Hydro, le président et directeur général de la Société d'assurance publique du Manitoba, des représentants de différents services d'eau et d'égoûts municipaux et le président de la section locale du Manitoba Industrial Power Users Group (MIPUG). Ces réunions ont porté sur des questions d'intérêt pour les parties, mais n'ont pas abordé de sujets liés à des ordonnances de la Régie ou qui auraient exigé une décision et seraient mieux étudiés dans le cadre d'une audience publique.

Modifications aux avis publics

La Régie souhaitait améliorer la présentation, le contenu et la diffusion de ses avis informant le public du dépôt d'une demande devant elle. La Régie voulait que l'avis soit plus court et facile à comprendre afin de promouvoir une participation accrue du public au processus d'audience. Cette participation pouvait se faire par le biais de demandes d'intervention ou de présentations au comité de la Régie qui entendait la demande. Le modèle du nouvel avis a été créé et sera utilisé par la Régie pour les demandes reçues en 2017-2018.

2. L'excellence dans la communication des décisions réglementaires

Examen de la Régie

L'Examen de la Régie est centré sur les principales procédures de la Régie : (1) les processus préalables à l'audience pour les demandes présentées par Manitoba Hydro, Centra Gas et la Société d'assurance publique du Manitoba; (2) la politique actuelle relative aux intervenants; (3) les règles actuelles concernant le traitement des renseignements confidentiels (l'examen de toutes ces procédures est appelé « Examen de la Régie »). Les grands principes sous-jacents de l'Examen sont les suivants :

- Des processus et des décisions efficaces et novateurs pour la population manitobaine
 - exigent de l'information exacte et opportune
 - mènent à une confiance accrue du public
- Un dialogue soutenu entre les audiences

La phase 1 de l'Examen de la Régie était constituée de rencontres entre le personnel de la Régie et les parties intéressées, comme nous venons de l'expliquer. Les questions abordées s'inscrivaient dans des catégories précises : les considérations liées aux processus préalables aux audiences; les considérations relatives aux demandes; les considérations liées aux conférences préparatoires aux audiences; la phase de découverte de l'examen; la phase de l'audience; la ou les ordonnances rendues par la Régie.

Les discussions entre le personnel de la Régie et chacune des parties intéressées ont été franches, et la plupart des réunions ont duré une journée entière.

Au cours de la phase 2 de l'Examen de la Régie, un exposé de position sur les révisions proposées aux procédures et aux politiques de la Régie (fondé sur les discussions de la phase 1) sera diffusé pour examen aux parties intéressées et sera publié sur le site Web de la Régie. Pendant la phase 3, la Régie organisera dans sa salle d'audience une rencontre informelle avec toutes les parties intéressées où celles-ci et les membres du public pourront faire part à l'ensemble des membres de la Régie de leurs avis sur les documents. La Régie étudiera les commentaires des parties intéressées et du public et révisera ses politiques ou procédures, avertira toutes les parties intéressées et publiera sur son site Web un avis concernant les versions révisées des procédures et politiques.

Modifications apportées

- La Régie a réalisé un examen des politiques de sécurité relatives au gaz naturel et des exigences en matière de rapport à ce sujet.
- Le processus de demande tarifaire de la SAPM comprenait la présentation simultanée de témoignages d'experts et la tenue d'ateliers. De plus, des conférences techniques ont eu lieu pour que le demandeur et les intervenants puissent traiter de questions

techniques précises. Les processus seront réitérés pour la prochaine demande tarifaire générale, où le personnel de la Régie jouera un rôle plus actif d'animation des ateliers et des conférences.

- La Régie a donné son approbation de principe à une révision du processus de demande relatif aux services d'eau et d'égouts. Le processus révisé, qui sera mis en œuvre en 2017-2018, comportera des exigences minimales de dépôt plus ciblées, et la Régie autorisera les services publics à augmenter leurs tarifs jusqu'à un montant préapprouvé sans avoir à déposer de demande complète, dans la mesure où des documents financiers spécifiés sont déposés. La Régie n'exigera le dépôt de demandes complètes que tous les 3 ou 4 ans et centrera son attention sur les services publics nécessitant une surveillance plus grande. On prévoit pour les 2 ou 3 ans à venir une réduction sensible des arriérés et des délais actuels, sans ressources supplémentaires.
- La Régie examine activement ses politiques sur le financement qu'elle accorde au soutien des interventions. La Régie cherche à ce que les intervenants s'engagent à participer activement d'un bout à l'autre du processus d'audience (à partir du dépôt de la demande). Elle souhaite aussi proportionner le montant du financement accordé à chaque intervenant à l'ampleur et l'utilité de sa participation.

L'efficacité du fonctionnement interne

La Régie continuera de chercher à renforcer son efficacité opérationnelle afin d'optimiser les ressources utilisées pour s'acquitter de son mandat et réaliser sa vision et sa mission.

- La Régie a achevé son programme de numérisation de ses archives, composées de 800 000 documents, et de mise à disposition des dépôts et des documents sous forme numérique.
- Tous les dépôts effectués par les demandeurs et les intervenants le sont désormais sous forme numérique.
- La Régie a mis en place une technologie améliorée (SmartBoard) pour les communications à distance et le partage de l'information (SharePoint) avec les membres de la Régie et ses conseillers professionnels.
- La Régie a apporté des modifications à son nouveau site Web de manière à ce que le public puisse déposer des commentaires et des plaintes par voie électronique.
- La Régie continue d'investir dans des programmes d'éducation à l'intention de ses membres et de son personnel pour qu'ils puissent exercer plus efficacement leurs fonctions respectives.

Régie 2020

Dans l'optique de réaliser sa vision de décisions et de processus réglementaires efficaces et novateurs pour les Manitobaines et Manitobains, la Régie maintiendra sa perspective à long terme et continuera de construire l'avenir. Elle cherche surtout à ce que soient apportées des modifications législatives qui harmoniseront la *Loi sur la Régie des services publics* avec les normes en vigueur dans d'autres autorités législatives canadiennes. Elle a également des contacts réguliers avec d'autres autorités législatives canadiennes et rencontre des représentants d'autres autorités canadiennes de réglementation des services publics à l'occasion de conférences pour discuter de la façon de suivre au mieux des pratiques exemplaires compte tenu de ses ressources.

Priorités opérationnelles de la Régie

La Régie a révisé ses priorités opérationnelles externes et internes à court terme pour l'exercice 2016-2017 :

Priorités externes :

- Rendre une ordonnance sur la politique de la Régie relative à la sécurité du gaz. **TERMINÉ**
- Répondre à la demande d'examen du coût du service de Manitoba Hydro. **TERMINÉ**
- Répondre aux demandes tarifaires et aux demandes relatives aux déficits des services d'eau et d'égouts en vue de rationaliser les processus et de réduire l'arriéré des demandes. **EN COURS**
- Élaborer un processus pour que les petites et moyennes entreprises puissent faire entendre leur avis dans les procédures de la Régie. **EN COURS**
- Assurer le suivi des directives de la Régie énoncées dans des ordonnances antérieures et régler les problèmes de conformité en souffrance. **EXIGE DES POUVOIRS SUPPLÉMENTAIRES POUR FAIRE APPLIQUER LES ORDONNANCES**
- Élaborer une politique pour traiter le financement des intervenants dans les processus de la Régie. **INCLUS À L'EXAMEN DE LA RÉGIE**

Priorités internes :

- Remanier le site Web de la Régie afin d'en faciliter l'accès par le public. **TERMINÉ**
- Améliorer la technologie utilisée dans la salle d'audience pour permettre aux parties intéressées établies hors de Winnipeg de participer aux processus de la Régie. **À L'ÉTUDE**
- Intégrer le logiciel SharePoint afin d'améliorer l'efficacité des dépôts des services publics auprès de la Régie. **EN COURS**

- Terminer la refonte du système de dépôt de la Régie et la numérisation des documents imprimés afin d'améliorer la gestion de l'information. **TERMINÉ**
- Actualiser le manuel d'orientation des membres de la Régie afin d'améliorer l'intégration des nouveaux membres. **TERMINÉ**. Le manuel est disponible en version imprimée et électronique et est fourni à tous les nouveaux membres de la Régie.
- Création d'un nouveau manuel d'orientation des employés de la Régie. **TERMINÉ**

Décisions de la Régie

Les décisions de la Régie qui visent les demandes tarifaires des principaux services publics se concentrent habituellement sur des questions particulières au service public ou à la demande examinée.

Lors de l'examen des demandes d'approbation des tarifs des principales sociétés de la Couronne, soit Manitoba Hydro, Centra Gas et la Société d'assurance publique du Manitoba, la Régie aborde régulièrement certaines questions.

- La Régie scrute les coûts de fonctionnement et d'entretien, en partie en raison de la hausse constante de telles dépenses, qui est liée en partie à l'accroissement des effectifs, ainsi que les investissements dans les infrastructures.
- La Régie étudie et approuve les dépenses en capital pour la SAPM et Centra Gas – c'est une tâche essentielle, car ces dépenses occupent une place prépondérante dans les demandes tarifaires. En revanche, la loi interdit à la Régie d'examiner et d'approuver les dépenses en capital pour Manitoba Hydro.
- Étant donné que ces sociétés de la Couronne sont des fournisseurs de services monopolistiques qui ne sont pas soumis à la concurrence, là où c'est possible, la Régie cible l'étalonnage concurrentiel des résultats d'exploitation afin d'évaluer le rendement annuel du service public par rapport aux services publics qui offrent des services similaires dans d'autres territoires.
- Les normes comptables des services publics sont en évolution constante. Les Normes internationales d'information financière, par exemple, ont des incidences sur tous les services publics à tarifs réglementés. La Régie examine en profondeur les modifications comptables et leurs incidences sur les tarifs.

La Régie est l'instance d'appel pour les décisions du Conseil routier. Elle évalue les besoins de l'appelant et de la collectivité par rapport aux exigences d'Infrastructure Manitoba et aux mesures de sécurité relatives aux utilisateurs du réseau routier.

Les tarifs des services d'eau et d'égouts municipaux ne reflètent pas toujours le coût réel de l'offre des services. La Régie a pour priorité de corriger cette situation en veillant à ce que les coûts soient adéquatement comptabilisés, que les déficits soient traités, que les hausses de tarifs soient opportunes et que les municipalités ne subventionnent pas les tarifs en utilisant leurs recettes fiscales.

Lorsqu'elle traite les demandes visant les tarifs d'électricité et de gaz naturel, la Régie examine soigneusement les plans d'efficacité énergétique en mettant l'accent sur la nécessité de rehausser chez les consommateurs la connaissance des programmes d'efficacité énergétique et des économies qui peuvent être réalisées en mettant à niveau l'isolation et les appareils de chauffage. La Régie met également l'accent sur la nécessité de faciliter l'accès des contribuables à faible revenu aux programmes d'efficacité énergétique comme moyen d'atténuer les incidences des futures hausses des tarifs d'électricité. Elle s'attend à ce que ces responsabilités augmentent considérablement parallèlement à l'entrée en vigueur de la *Loi sur la Société pour l'efficacité énergétique au Manitoba*.

La Régie considère que la sécurité des citoyens est une priorité élevée. La Régie continue d'être très attentive aux questions de sécurité. La sécurité des pipelines et de la distribution du gaz est un facteur important lors de l'examen des activités et des services de Centra Gas et de Stittco Utilities Manitoba Inc. La Régie examine attentivement les dépenses en matière de sécurité routière de la Société d'assurance publique du Manitoba.

Le renouvellement des infrastructures et les investissements dans les infrastructures sont des questions courantes pour tous les services publics du Manitoba. La Régie a priorisé l'examen des investissements dans les infrastructures. Les décisions tarifaires abordent souvent le financement soutenant les investissements dans les infrastructures. Les plans de Manitoba Hydro englobent d'importantes dépenses d'infrastructure au cours de la prochaine décennie. La SAPM fait des investissements importants dans la technologie, en particulier ses systèmes informatiques et ses applications logicielles. Ces dépenses en capital continuent d'être examinées de près par la Régie.

La Régie continue d'examiner de près les niveaux des réserves et de l'avoir net de tous les services publics. Avec des réserves et un avoir net adéquats, un service public est en mesure d'atténuer les incidences des dépenses imprévues ou de composer avec les manques à gagner sans avoir recours à des hausses de tarifs importantes qui peuvent mener à un choc tarifaire.

- Manitoba Hydro engage des dépenses d'infrastructure en électricité très importantes qui se traduiront par une réduction substantielle de son avoir net. Les autres risques de l'entreprise comprennent les conditions météorologiques défavorables (p. ex., sécheresse), les dommages aux infrastructures, les défauts du matériel et les fluctuations de prix dans les marchés d'exportation.
- La SAPM est exposée à des risques liés aux conditions météorologiques défavorables, aux taux d'intérêt et aux fluctuations du marché boursier. La détermination d'un niveau des réserves cible pour ses activités commerciales de base est une question importante depuis plusieurs années. L'ordonnance la plus récente de la Régie sur les tarifs d'assurance, entrée en vigueur le 1^{er} mars 2017, révisait la méthode utilisée pour déterminer les niveaux minimal et maximal des réserves pour les activités commerciales de base de la SAPM, et imposait la tenue d'une série de conférences techniques sur le sujet avant le prochain dépôt.

- Le caractère adéquat des réserves financières et du niveau des fonds de roulement des services d'eau et d'égouts est une préoccupation permanente de la Régie. Les décisions de cette dernière traitent au besoin des déficits, de l'insuffisance des réserves et des niveaux des fonds de roulement. Dans le cas des services d'eau et d'égouts, le risque majeur provient des modifications réglementaires et des réparations coûteuses en raison des pannes de systèmes.

Négociants en gaz naturel

Le code de conduite de la Régie à l'intention des négociants en gaz naturel vise à limiter les plaintes des consommateurs sur les pratiques de commercialisation agressives et frauduleuses des négociants en gaz naturel qui font affaire avec les clients résidentiels. Un élément clé du code accorde aux consommateurs une période d'attente obligatoire de 48 heures avant la signature d'un contrat d'achat. Le consommateur signe un accord d'intention d'achat avec un négociant en gaz naturel, qui peut être suivi 48 heures plus tard par la signature d'un contrat si le consommateur le souhaite. Le code exige une amélioration de la formation des négociants et la divulgation obligatoire de comparaisons des tarifs du gaz naturel afin que les consommateurs puissent prendre des décisions éclairées sans subir les pressions de certains négociants. Le nombre de plaintes reçues par Régie concernant des négociants en gaz naturel a sensiblement baissé depuis la publication du code de conduite.

Ordonnances de la Régie

Toutes les ordonnances rendues par la Régie sont publiées (en anglais) sur son site Web <http://www.pubmanitoba.ca>.

Une liste de toutes les ordonnances rendues par la Régie pendant la période visée par le rapport est annexée au présent rapport.

De nombreuses demandes tarifaires approuvées par la Régie sont fondées sur des formules préétablies de calcul des tarifs. Les tarifs hebdomadaires de l'énergie excédentaire de Manitoba Hydro, les tarifs du propane de Stittco et les tarifs trimestriels du gaz naturel de Centra Gas sont calculés en utilisant de telles formules. Ces demandes sont habituellement considérées de manière ex parte (c.-à-d. sans consultation du public).

Un service public ou des parties visées peuvent soumettre une requête pour demander à la Régie de revoir et de modifier ses décisions. Les décisions de la Régie relatives à une telle demande de révision et de modification peuvent faire l'objet d'un appel devant la Cour d'appel du Manitoba. Aucun appel n'a été soumis pendant la période visée par le rapport.

En 2016-2017, la Régie a rendu 155 ordonnances et délivré 39 licences et permis. (En 2015-2016, elle avait rendu 156 ordonnances et délivré 42 licences et permis.)

Fonctions assignées

Conformément aux dispositions de l'article 107 de la *Loi sur la Régie des services publics*, la Régie peut accomplir des fonctions qui lui sont assignées par une loi ou une résolution de l'Assemblée législative, par un décret du lieutenant-gouverneur en conseil ou à titre d'instance d'appel ou d'organe d'arbitrage aux termes d'un accord entre une municipalité et le propriétaire d'un service public.

Aucune fonction du genre n'a été assignée à la Régie en 2016-2017.

Prêts de dépannage

Conformément aux dispositions du paragraphe 164(2) de la *Loi sur la protection du consommateur* du Manitoba, la Régie devait procéder à un examen des questions liées aux prêts de dépannage au cours des trois ans qui ont suivi l'entrée en vigueur du Règlement du Manitoba n° 50/2010. La Régie a soumis son rapport au gouvernement le 23 septembre 2013.

Conformément aux dispositions du paragraphe 164.1(2) de la *Loi sur la protection du consommateur* du Manitoba, tous les trois ans, le ministre responsable doit examiner l'efficacité de la Partie XVIII de la Loi et de ses règlements d'application et décider si la situation exige un examen supplémentaire par la Régie en conformité avec les dispositions de l'article 164 de la Loi.

Dans une lettre reçue par la Régie le 30 juin 2015, le ministre responsable a demandé à la Régie d'examiner au plus tard en 2016 les limites maximales des prêts de dépannage. La Régie a tenu une audience publique et présenté un rapport au ministre le 17 juin 2016.

Encaissement de chèques du gouvernement

La Régie doit examiner tous les trois ans les tarifs imposés pour l'encaissement des chèques du gouvernement et présenter un rapport au gouvernement. En vertu de l'ordonnance 105/16 datée du 8 août 2016, la Régie a établi les frais maximaux pour l'encaissement ou la négociation de chèques du gouvernement conformément à la *Loi sur la protection du consommateur* du Manitoba. Le terme « chèques du gouvernement » englobe les chèques du gouvernement du Canada, de la Province du Manitoba et de tout organisme gouvernemental mentionné dans le *Règlement sur l'encaissement des chèques du gouvernement*. La Régie a par ailleurs présenté une série de recommandations au gouvernement.

Enquêtes de la Régie des services publics

Conformément aux dispositions du paragraphe 27(1) de la *Loi sur la Régie des services publics*, la Régie peut, de sa propre initiative, et doit, à la demande de l'Assemblée législative ou du lieutenant-gouverneur en conseil, faire enquête, tenir des audiences et décider toutes les questions relevant de sa compétence.

En 2016-2017, la Régie n'a mené aucune enquête; par conséquent, elle n'a rendu aucune ordonnance et n'a soumis aucun rapport connexe.

Allocation de frais par la Régie

Conformément aux dispositions de l'article 56 de la *Loi sur la Régie des services publics*, la Régie a l'autorité d'allouer les frais qu'entraîne une procédure exercée devant elle.

Les règles de pratique et de procédure (les règles) de la Régie indiquent que celle-ci peut allouer des frais à un intervenant :

1. qui a fait un apport important et pertinent à la procédure et a contribué à une meilleure compréhension par toutes les parties des questions soumises à l'examen de la Régie;
2. qui a participé à l'audience d'une manière responsable et a collaboré avec d'autres intervenants ayant des objectifs communs au résultat de la procédure afin d'éviter la redondance des interventions;
3. qui a des ressources financières insuffisantes pour présenter son cas de manière adéquate sans allocation des frais;
4. qui a un intérêt important dans le résultat de la procédure et représente les intérêts d'un nombre substantiel de contribuables.

La Régie a rendu un certain nombre d'ordonnances liées à l'allocation de frais à des intervenants individuels approuvés après des audiences portant sur des questions liées à Manitoba Hydro et à la SAPM. La question de l'allocation de frais aux intervenants est à l'étude dans le cadre de l'Examen de la Régie.

Droits de la Régie

Des droits évalués par la Régie sont payés au ministre des Finances par les demandeurs, les services publics et les titulaires de licence et de permis et sont versés au Trésor public du gouvernement du Manitoba. Le barème des droits est demeuré inchangé depuis 1994.

Les droits à payer au ministre des Finances par les services publics et les personnes qui sont des parties aux questions soumises à la Régie ou qui y sont intéressés sont établis dans le *Règlement sur les droits payables à la Régie des services publics* et ses modifications, tel que prescrit par la Régie en conformité avec les dispositions de l'article 57 de la *Loi sur la Régie des services publics*.

Résultats financiers de la Régie

Les droits payés à la Régie sont remis au Trésor public. Les dépenses de la Régie sont payées au moyen des postes budgétaires ministériels. Le montant du budget est déterminé dans le cadre du processus budgétaire du gouvernement. Les fonds alloués non dépensés ne sont pas accumulés dans les réserves de la Régie.

Au total, la Régie a dépensé 1 497 000 \$, soit un peu plus que les 1 472 000 \$ dépensés l'exercice précédent. Cette hausse des dépenses reflète à la fois la baisse des coûts de fonctionnement de la Régie et l'augmentation des salaires et des coûts des avantages sociaux. Des fonds supplémentaires ont été accordés à la Régie par le ministère des Finances. Si des fonds alloués ne sont pas dépensés, ils ne s'accumulent pas dans les réserves de la Régie.

En 2016-2017, le coût de fonctionnement total de la Régie, qui comprend les coûts financés par le gouvernement et ceux que paient les services publics importants (p. ex., la majeure partie du coût des conseillers professionnels de la Régie), s'est chiffré à 5 217 000 \$, comparativement à un montant de 4 753 000 \$ en 2015-2016.

La Régie enjoint aux services publics et aux autres demandeurs de payer le coût des conseillers professionnels de la Régie. Aux termes d'une ordonnance, la Régie exige que les services publics et les autres demandeurs paient la totalité ou une partie des coûts engagés par les intervenants à ses audiences. Les coûts sont payés directement par les services publics et les autres demandeurs aux parties auxquelles la Régie a accordé une allocation des frais, après l'examen et l'approbation des frais par les services publics et autres demandeurs et par la Régie. Ces paiements ne sont pas versés à la Régie ou au Trésor public.

Questions juridiques

Aucune procédure judiciaire ne concernait la Régie en 2016-2017.

REGULATED UTILITIES AND ENTITIES

I. Manitoba Hydro – Electricity

Cost of Services Study – Order 164/16 December 20, 2016

Manitoba Hydro filed a revised Cost of Services Study (“COSS”) which the PUB reviewed in 2016. It was the first Board order dealing with this subject matter since 2008.

COSS is a method of apportioning a utility’s costs among the various customers it serves. Each Manitoba Hydro customer consumes power in varying amounts at different times of the day and in each season. Each customer is geographically in a unique location, with some customers densely grouped together in urban areas while others are dispersed through rural and remote areas. Customers who consume large amounts of electricity have different service requirements, such as voltage levels, than customers who consume less electricity. For rate-setting purposes, customers are grouped into customer classes according to their similar characteristics in terms of their electricity consumption and service requirements.

The objective in designing a COSS is to select a cost allocation method for the sharing of a utility’s approved costs among the customer classes. Once the costs are allocated among the customer classes, the results may be used to set electricity rates for customers. A COSS is normally filed with each GRA and, together with the proposed revenue requirement, rate design, and other pertinent information, forms the background information that supports rate setting.

The process was started on January 27, 2015 when the Board issued a procedural direction to Manitoba Hydro in which it stated: “The Board expects [this] Cost of Services Study Methodology to be filed and reviewed by the Board before the GRA for any revised rates in MH’s 2016/17 fiscal year.”

The procedural history which started in 2015, and was completed in 2016, included the identification of parties interested in the outcome of the COSS process (stakeholders, including interveners), the holding of stakeholder meetings prior to the filing of Manitoba Hydro’s proposed COSS, written information requests, two facilitated workshops with the participation of the parties’ experts, and two pre-hearing conferences.

The following were identified as the key issues to be reviewed at the public hearing:

- The functionalization, classification, and allocation of generation and transmission assets, including the high voltage direct current (HVDC) system and the U.S. interconnection, but excluding wind and coal assets;
- The treatment of export costs, including the number of export classes and the allocation of fixed and variable costs to such classes;
- The treatment and allocation of Net Export Revenue; and
- The classification and allocation of demand-side management.

These key issues were not only the subject of written evidence, but also the oral evidentiary portion of the hearing. The latter was structured as a concurrent evidence session of the interveners' experts following the testimony of Manitoba Hydro.

The hearing started on September 7, 2016 and continued for four weeks. By its Order, the Board determined the methodology to be used by Manitoba Hydro when it files its next General Rate Application ("GRA") filing

The key finding in the Order was the Board accepted and applied the principle of cost causation in establishing the appropriate method of allocating Manitoba Hydro's financial costs to the various customer classes. This means each domestic customer class should pay its actual costs for provision of the services used. The Board found that other ratemaking principles for setting just and reasonable rates should be considered in a GRA, and not a cost of service process.

General Rate Application

Manitoba Hydro did not file a General Rate Application (GRA) in 2016/17.

Interim rates

On November 18, 2015, Manitoba Hydro filed an interim rate Application seeking an interim rate increase of 3.95% for all customer classes starting April 1, 2016.

After considering the process submissions from the Parties, the Board directed that Manitoba Hydro's Application would be heard by way of a written process with one round of written information requests followed by written submissions by Interveners and Manitoba Hydro.

The Board's decision was issued on April 28, 2016 in Order 59/16. The Board approved a 3.36% interim increase in billed rates for Manitoba Hydro customers effective August 1, 2016 rather than the 3.95% increase requested by Manitoba Hydro to commence April 1, 2016. The Board directed that all additional revenue generated from the interim rate flow into the previously established Bipole III Deferral Account. This account was created by the Board to mitigate significant rate increases in future years when the Bipole III Transmission Project, including the Riel Converter Station, comes into service, projected for 2018/19, and the Keeyask Generating Station enters service, projected to be 2018/19 with full operation in 2020/21.

In making its decision, the Board noted the evidence of Manitoba Hydro, that its long-term financial projections had improved significantly. In 2015 Manitoba Hydro was predicting that annual rate increases of 3.95% would be required to return Manitoba Hydro to its target debt equity ratio of 75:25 by 2033/34. Based on the financial projections submitted in support of the interim application, the Board was satisfied the annual rate increase could be lowered to 3.36%.

The Board further held that General Rate Applications should be heard on a regular basis, no more than two fiscal years apart, in light of the significant revenue requirements related to the unprecedented expansion in the form of construction of new generation and transmission

assets, replacement of aging infrastructure, as well as uncertainties associated with export markets, interest rates, domestic loads and foreign exchange rates. The Board directed Manitoba Hydro to file a General Rate Application for the 2016/17 and 2017/18 years by no later than December 1, 2016 which would allow for an adjustment of consumer rates for August 1, 2017. If Manitoba Hydro wished to seek an earlier date for rate adjustments it would need to file its application earlier than December 1st and allow six months for the General Rate process.

The Board expressed its concern that interim rate applications do not offer the same level of public review as General Rate Applications. As such the Board held that it was not prepared to consider a further interim rate application unless warranted by unforeseen or emergency situations.

Weekly Surplus Energy Rate Program (SEP)

Manitoba Hydro's US export revenues are either generated from contracted sales at predetermined prices or from opportunity sales. The opportunity revenues are based on current electricity market wholesale prices and the level of excess generation and transmission available to Manitoba Hydro.

Manitoba Hydro makes surplus energy (i.e., generated or purchased energy exceeding its domestic and export requirements) available on an interruptible basis to its General Service (GS) customers. This energy is available at prices comparable to Manitoba Hydro's opportunity (not contracted) US export sales or, in the case where the utility expects to import power, at a price reflective of Manitoba Hydro's cost with a 10% surcharge.

SEP energy prices are forecast by Manitoba Hydro on a weekly basis for each of the peak, off-peak, and shoulder time slots using US export sales prices and submitted to the PUB for approval. During the reporting period, the PUB issued weekly interim ex parte SEP rate orders which will be finalized as part of the next GRA process.

All SEP customers are billed a monthly basic charge, distribution charge and an energy charge. The monthly basic charge is fixed and depends on the size of the connected load. The distribution charge per kWh varies by customer class. The energy charge per kWh, applicable to three pricing periods, varies based on expected market prices from week-to-week. The three pricing periods are peak, shoulder and off-peak, which vary depending on the season.

The SEP was first approved by the PUB in Order 90/00, which stipulated that the SEP would terminate on March 31, 2004. Since that time, the SEP has been repeatedly extended.

Electrical Reliability

Under the reliability provisions of *The Public Utilities Board Act*, the PUB has the authority to:

- (a) decide whether a reliability standard has been violated and what penalty, if any, to impose for a violation;
- (b) review a reliability standard at the request of a Manitoba entity that is required to comply with a standard; PUB can confirm a standard or remand it back to the North American Electric Reliability Corporation (NERC) for consideration; and
- (c) when requested by the Minister responsible for the PUB, provide advice/recommendations about fees that Manitoba entities must pay to the standards body or compliance body in relation to making or enforcing reliability standards.

During 2016-17, the PUB did not exercise any of its powers related to electric reliability.

Organization of MISO States (OMS) Activities

The PUB is a full-voting member of the OMS. The Chair of the PUB is a member of its Board of Directors.

The OMS is a non-profit, self-governing organization of representatives from each member state and Manitoba with regulatory jurisdiction over entities participating in the Midcontinent Independent System Operator, Inc. (MISO), a regional transmission organization as defined by the Federal Energy Regulatory Commission (FERC). Manitoba Hydro is an associate member of MISO. The purpose of the OMS is to coordinate regulatory oversight among the member states and Manitoba, including recommendations to MISO, the MISO Board of Directors, the FERC, NERC and other relevant government entities, and state commissions or provincial government as appropriate.

The OMS is an important source of independent information about the MISO market, the principal market for Manitoba Hydro export electricity. Because OMS deals mostly with issues that are specific to the U.S. jurisdiction, extensive PUB involvement is not required.

OMS officially expresses the views of member American state jurisdictions and Manitoba, unless Manitoba abstains, on issues related to electricity generation and transmission across state/province and national boundaries, for joint presentation to U.S. federal regulators and to MISO. Because many issues are specific to the U.S. jurisdiction, the PUB's representative usually abstains from voting.

II. Centra Gas Manitoba Inc. (Centra)

Centra is a wholly-owned subsidiary of Manitoba Hydro. The PUB regulates all aspects of Centra's operations including capital expenditures and rates charged by Centra for the transportation and distribution of gas as well as rates charged for Primary and Supplemental Gas.

Centra distributes natural gas to over 250,000 residential, commercial and industrial customers. Since its purchase by Manitoba Hydro in 1999, it has been fully integrated within Manitoba Hydro's general operations.

Rate and Operational Reviews

The price of natural gas is set on continental energy markets based on supply and demand. Gas is purchased from Western Canadian and American producers and transported by pipeline to Manitoba for immediate or later distribution within Manitoba through Centra's infrastructure. Gas storage facilities located in Michigan are filled during the summer months and then emptied, at times notionally, during the high consumption winter months.

Centra does not mark up its gas costs and earns no profit on the sale of gas. To ensure that the exact cost is passed on to customers, Centra maintains deferral accounts which record differences between the gas costs embedded in rates and Centra's actual costs.

The five components of natural gas rates billed to Centra's customers are:

- Primary Gas – gas that is sourced by Centra under its Western Canadian gas supply contract, which is priced quarterly by Centra, or gas purchased by consumers from either Centra or independent gas marketers and brokers under contracts, usually for a fixed rate and a fixed term;
- Supplemental Gas - gas that is required to meet the needs of Centra's customers during periods of peak load or other seasonal requirements. Supplemental Gas is applicable to the majority of customers, whether they purchase quarterly-priced Primary Gas from Centra or fixed-rate gas through contracts;
- Transportation (to Centra) – is the cost of transporting natural gas to Manitoba, including charges for pipelines not owned by Centra and the cost of gas storage facilities and is applicable to the majority of Centra's customers;
- Distribution (to Customer) - is the cost of delivering natural gas to a customer's home or business, including the cost of facilities and pipelines owned by Centra, as well as the operation and maintenance costs for the distribution system and a small cost component related to unaccounted-for gas; and
- Basic Monthly Charge - the cost related to customer service including meter reading and billing, as well as the cost of the service line and the meter.

Order 89/13, dated August 2, 2013, and arising out of Centra's 2013/14 General Rate Application, approved the current Basic Monthly Charges.

Centra's Primary Gas rates are subject to quarterly amendment. Orders were issued as follows: Order 57/16 for rates effective May 1, 2016; Order 98/16 for August 1, 2016; Order 137/16 for rates effective November 1, 2016; and Order 7/17 for rates effective February 1, 2017.

These regularly-scheduled, quarterly Primary Gas rate reviews occur in accordance with the Board-approved Rate Setting Methodology (RSM), which is formula-driven and relies on established accounting and rate setting conventions. The Rate Setting Methodology determines a Primary Gas rate based on the forecast of natural gas prices and includes several factors that reflect the costs Centra incurs in providing Primary Gas to its customers.

The quarterly gas rate setting does not involve a public hearing, given the formulaic nature of the RSM, and the PUB's goal of minimizing regulatory costs. Public reviews of primary gas rates are conducted at periodic Cost of Gas or General Rate Application hearings.

Non-Primary Gas

Non-Primary Gas components of Centra's rates, for all customers including those receiving natural gas through fixed-rate contracts, are also periodically reviewed and approved by the PUB. These non-Primary Gas rate reviews occur either through periodic Cost of Gas hearings, which also provide for the finalization of past interim quarterly Primary Gas rate changes, or in the context of a General Rate Application.

Order 137/16 is the most recent Order to adjust non-Primary Gas rates. Order 137/16 also approved new Supplemental Gas, Transportation, and Distribution base rates.

The Cost of Gas Order follows Centra's last General Rate Application in 2013 and addresses regulatory matters with respect to Centra's rates that have arisen since that time.

In particular, the PUB examined the prudence of Centra's Supplemental Gas costs incurred in the winter of 2013/14, at a time when the year-end balance in Centra's Supplemental Gas Purchased Gas Variance Accounts (PGVA) increased to approximately \$46 million. Having completed a review of Centra's decision-making leading up to and during the winter of 2013/14, the Board concluded that Centra's costs were prudently incurred and that the balance of the 2013/14 PGVA balance not previously recovered could properly be recovered from customers by way of a rate rider.

While Centra does not earn a profit on its gas costs, Centra does earn a return on its distribution assets. The utility's rates provide sufficient additional revenue to offset Manitoba Hydro's costs of acquiring Centra and to provide reasonable retained earnings to serve as a financial reserve.

The Board noted that Centra's total net income over the past three years, on a weather-normalized basis (meaning if the effects of weather are removed), had been approximately \$9.5 million higher than what was approved by the Board in the last General Rate Application.

Therefore, the Board did not finalize the interim rates that Centra had been charging since that time and decided to review them in the context of Centra's cost structure at its next General Rate Application.

Franchise Extensions

The Public Utilities Board Act provides that a franchise granted to any owner of a public utility by a municipality is subject to the approval of the Board. The Board has the authority to grant or refuse a franchise to sell gas, or to directly purchase gas, or revoke an existing franchise to sell gas, or to directly purchase gas within the Province. Centra applies to the Board for approval, renewal or extension of franchise agreements. The franchise does not take effect until approved by an Order of the Board. Franchise agreements are granted by the Board on an interim *ex parte* basis subject to the passing of a financial feasibility test, to be finalized at a hearing of the Board.

During the year the PUB approved one franchise application from the RM of Minto-Odanah.

The PUB has not finalized any franchise agreements since the issuance of Board Order 85/13. Any interim *ex parte* orders issued since that time were subject to review and were available for comments from the public and interveners. No party expressed any concern about the finalization of these interim orders. Board Order 108/15 finalized previously issued Orders 80/13, 81/13, 82/13, 116/13, 117/13, 153/13, 73/14, 110/14, and 49/15.

Service Disconnections

The PUB has broad responsibilities with respect to the regulation of gas and propane services as supplied by Manitoba utilities. The PUB oversees service disconnections for gas customers. Most service disconnections occur as a result of non-payment on accounts.

Board Order 14/08 contains the PUB's approved policies and procedures for disconnection and reconnection. The PUB also has review and appeal processes for disconnection. The Board only has authority over disconnections for gas customers. All electric customers fall outside the jurisdiction of the PUB. There is no right of appeal to the Board for an electrical service disconnection; Manitoba Hydro sets its own disconnection policies and any customer appeals go to Manitoba Hydro. The PUB reviewed an earlier policy that purported to provide it jurisdiction over combined electricity/natural gas customers. The PUB revised the earlier policy and notified Manitoba Hydro that it would not consider appeals of the disconnection of electricity services, whether or not the customer used electricity or gas for heating purposes.

Disconnection for non-payment of gas and combined gas/electric services in arrears can only occur from May 15 to September 30. Disconnection will not occur on gas or combined gas/electric services for occupied residential premises from October 1 to May 14.

No gas disconnections were appealed in 2016-17.

The Board receives numerous calls from gas/electric customers every year about an actual or potential disconnection. Board staff assist in negotiating payment arrangements between the customer and Manitoba Hydro or in informing the customer of social service programs that can be approached to provide relief.

The Board also receives numerous calls from all-electric customers wanting to appeal a disconnection. They are advised that the Board does not have jurisdiction over electricity disconnections. They are encouraged to contact Manitoba Hydro.

Gas Safety

The PUB monitors natural gas and propane pipeline safety activities in the Province under *The Gas Pipe Line Act*. The PUB's activities include the designation of minimum standards for gas pipeline systems, receiving engineering certifications for the construction of pipelines, and reviewing liability insurance requirements. The PUB also monitors key performance indicators and management systems used by utilities to demonstrate gas is safely distributed to customers.

III. Stittco Utilities Man Ltd. (Stittco)

Since the early 1960s, Stittco has provided propane distribution services to customers in Thompson, Snow Lake and Flin Flon. The PUB regulates both Stittco's non-commodity and commodity costs to customers.

Non-commodity costs consist of costs incurred by Stittco for the distribution of propane to its customers. These costs include operating expenses, depreciation, a provision for corporate income tax and a return on Stittco's rate base for its owners. Stittco applies annually for an increase in its non-commodity rates. Allowed costs are recovered in rates through a basic monthly charge and delivery charges based on customer consumption. With lower projected propane consumption volumes, combined with the approved increases in non-commodity costs, there is a resulting ongoing annual increase in charges to customers separate from the costs of supply and transportation to Manitoba.

Decisions were issued for non-commodity costs under Order 136/16, effective November 1, 2016 and Order 158/16, effective January 1, 2017.

Commodity rates for propane are adjusted quarterly using the Quarterly Rate Setting (QRS) process approved by the Board in Order 141/08 and 45/09. The Board issued the following quarterly propane rate decisions:

- Order 56/16 effective May 1, 2016
- Order 100/16 effective August 1, 2016
- Order 135/16 effective November 1, 2016, and
- Order 8/17 effective February 1, 2017.

IV. Natural Gas Brokers

The PUB issued renewal licenses to nine (9) natural gas brokers during 2016-17. The broker licences were became effective November 1, 2016 and will expire on October 31, 2017. Broker licences are reviewed by the PUB every year.

Natural gas brokers are independent businesses that sell Primary Gas to Manitoba customers or otherwise deliver, distribute, store or transmit gas within Manitoba.

Nearly all brokers licensed by the PUB serve the commercial and industrial gas supply market. Larger gas users are assumed to be informed buyers and can either negotiate fixed terms contracts on their own or receive Centra's quarterly gas supply product.

In Manitoba, a consumer of natural gas can purchase primary gas from:

- 1) Centra Gas at a variable gas rate that is approved every three months by the PUB;
- 2) an independent gas marketer or Centra Gas under a fixed-rate, fixed-term contract.

One licensed gas broker, Just Energy, offers residential consumers a fixed-rate fixed-term option as an alternative to Centra's regulated quarterly cost-based Primary Gas Rate. Centra began offering fixed-rate fixed-term Primary Gas offerings in February 2009.

The PUB controls the sales activities of brokers through a Code of Conduct. In addition to overseeing the terms under which Centra distributes Primary Gas for the broker to its customers and establishing and monitoring the Code of Conduct that governs a broker's marketing to consumers, the PUB intervenes and investigates complaints from broker customers. Typically, the PUB is able to facilitate a reasonable outcome through discussions between the broker and the customer; it is not required to hold a public hearing to address complaints.

The PUB adopted a new gas marketer Code of Conduct in July 2015 which took effect on January 1, 2016. The new Code is intended to mitigate small volume consumers' complaints of aggressive and fraudulent marketing practices of natural gas marketers. The Code gives small volume consumers a mandatory 48 hour waiting period before a contract can be executed by the broker. The customer signs an "Intent to Buy" agreement with a gas marketer followed by the signing on an actual contract after 48 hours if the customer decides to enter into a contract. The Code requires improved marketer training and mandatory natural gas rate comparison disclosures so consumers can make informed decisions without the pressure tactics of some marketers. Under the Code, door-to-door, telephone, direct mailings and web-based transactions with small volume customers are governed by detailed instructions approved by the PUB.

V. Manitoba Public Insurance (MPI)

MPI was established in 1971 as the monopoly provider of basic motor vehicle insurance.

Pursuant to *The Crown Corporations Public Review and Accountability and Consequential Amendments Act*, the PUB approves just and reasonable rate bases and premiums charged for basic compulsory driver and vehicle insurance (Basic) provided by MPI.

MPI's Basic insurance is available to every Manitoba resident. It includes:

- all-perils coverage for accidental damage to most registered vehicles;
- third party liability for claims if a registered vehicle injures other people elsewhere in Canada or the United States, or damages other people's property anywhere in Canada or the United States; and
- Personal Injury Protection Plan (PIPP) for injury or death caused by an automobile

Under PIPP, all Manitobans have accident benefit coverage in case of a vehicle accident, whether they are drivers or not, and whether the accident occurs in Manitoba or anywhere in Canada or the United States.

Basic insurance provides \$200,000 third party liability and \$500 deductible. Any additional coverage in third party liability or lower deductible falls under Extensions coverage, over which PUB has no authority over rates or the separate Extensions coverage reserve fund. The PUB also does not approve rates for MPI Special Risk Extension (SRE) nor have any jurisdiction over that reserve fund.

Unlike the PUB's other regulated utilities, MPI's rates are in force only for an insurance year (February 1 to January 31) and an annual rate hearing is required.

In Order 162/16 (December 15, 2016) the PUB approved a rate increase of 3.7% for Basic premiums for the 2017/18 insurance year, effective March 1, 2017, for all major classes combined rather than the 4.3% requested by MPI. Based on MPI's rate design, each major vehicle class had different average vehicle premium changes.

The PUB also approved the MPI proposal for no change in permit and certificate rates, driver license premiums and vehicle premium discounts, service and transaction fees, fleet rebates or surcharges, or the discount on approved after-market and manufacturer/dealer installed anti-theft devices.

The PUB and MPI have been engaged for a number of years in discussions regarding the appropriate level of MPI's Rate Stabilization Reserve (RSR). For Fiscal 2017, the Board selected a methodology to be utilized for the purposes of setting the lower total equity capital target for the Corporation which the Board approved.

In 2015 the Board also approved a methodology for setting the upper level of the equity target but on a notional basis only. The Board ordered MPI to continue to participate in a collaborative process to be completed by the time the Board considers the next rate application. The Board was not prepared to continue the requested methodology for the upper level based on the evidence submitted at the hearing. Instead, the Board repeated the direction for continued collaboration and also ordered a technical conference in 2017 prior to the filing of the next General Rate Application (GRA) to further examine the methodology for the setting of the upper threshold.

The Board repeated its previous order that MPI work collaboratively with the Board's actuarial advisor and the advisors of the interveners, to enhance the transparency and robustness of MPI's ratemaking approach, with a view to strengthening MPI's ratemaking ability in accordance with accepted actuarial practice in Canada. The Board ordered that a technical conference and further, informal collaboration take place among MPI, Board advisors and interveners in that regard.

The Board acknowledged that MPI had taken steps toward cost containment efforts. The Board expressed its concerns about MPI's costs related to various Information Technology (IT) initiatives, and whether it is making efficient expenditures in the IT area. It ordered MPI to file an overall five-year strategic plan with respect to its IT projects, supported by full business cases at the next GRA.

The Board found that MPI had lower rates of return on its investments compared to its peers in Manitoba and public insurance agencies in other jurisdictions which was attributable to the current investment asset mix. The Board also heard conflicting evidence about interest rate forecasts and ordered a technical conference prior to the next GRA hearing.

During the hearing MPI provided evidence about its road safety program. The Board found that further work is required for MPI to demonstrate that its road safety program had reached maturity. It directed MPI to file a five year strategic plan with its next GRA addressing road safety issues including distracted driving drug-impaired driving (especially in light of the anticipated legalization of marijuana), wildlife collision prevention, mature drivers and vulnerable road users.

VI. Water and Sewer Utilities

The PUB has rate and other regulatory responsibilities for all of Manitoba's water and/or sewer utilities but does not approve rates for the City of Winnipeg.

Water utilities are public utilities as defined in *The Public Utilities Board Act* and regulation is mandatory.

Sewer-only utilities need to be declared by the Board to be public utilities to be regulated; a general declaration was made in Order 93/09.

At the end of the 2016-17 fiscal year, the PUB had a regulatory caseload of approximately 240 water and/or sewer utilities, including approximately 200 municipal utilities and 40 cooperative and privately owned water utilities. At the end of March 2017, the PUB had 61 active water and sewer files, up from 42 in the previous year.

When regulating cooperative and privately-owned water utilities, the PUB uses a complaints based process in order to constrain regulatory costs. Many of these utilities are able to introduce rate changes by simply notifying their customers and providing the PUB with financial information in support of the rate changes. If the increase is significant or if a rate increase results in many complaints, the PUB will hold a public hearing in the region served by the utility.

In an effort to mitigate costs and resources for municipal utilities, guidelines and forms are available on the PUB website to assist in developing utility rate applications. Training sessions were offered by the PUB to municipal staff on the use of the guidelines.

The PUB will hold hearings to deal with matters being considered by the PUB. For example, some applications for significant increases result in ratepayer opposition; in such cases, the PUB holds hearings in the area served by the utility. There were six hearings during 2016-17.

Pursuant to subsection 165(2) of *The Municipal Act*, municipalities must obtain the PUB's approval if budgeted expenditures exceed the sum of budgeted revenues (including transfers to the utility). The Board, in Order 151/08, extended this requirement to all owners of water and/or sewer utilities. Unless prior approval has been obtained, an owner of a public utility must report the actual operating deficit in its utility to the PUB where such deficit either exceeds \$10,000 or represents 5% of the utility's operating budget, and must advise the Board of the proposed method to recover the deficit.

In Order 105/04, the Board issued an order affecting all municipalities which set out the late payment fees to be charged on overdue utility accounts.

In Order 39/09, the Board issued an order affecting all public utility owners, setting out the conditions precedent for the disconnection of utility service for nonpayment. Disconnections can be appealed to the Board. There were not appeals on disconnections last year.

Pursuant to subsection 82(1) of *The Public Utilities Board Act*, the Board must approve utility amalgamations or dissolutions. There was one amalgamation last year - RM of MacDonald. There were no applications for dissolution.

The PUB meets and communicates with officials of the Association of Manitoba Municipalities (AMM) and the Manitoba Municipal Administrators Association (MMAA) on a periodic basis to discuss water and sewer issues.

The Board issued 78 water or wastewater orders during 2016-17, up from 64 orders in 2015-16.

VII. Cemeteries and Prepaid Funeral Services

The Statutes Correction and Minor Amendments Act, 2013 received Royal Assent on December 5, 2013. This Act mandated the transfer of the responsibilities for the Cemeteries Act from the PUB to the Funeral Board. The PUB ceased issuing cemetery, columbarium, mausoleum crematory, owner and agent licences.

In June 2011, *The Grieving Families Protection Act* was passed by the Manitoba Legislature. The Act transferred the PUB's responsibilities pursuant to the *Prearranged Funeral Services Act* to the Funeral Board of Manitoba.

When the changes to *The Prearranged Funeral Services Act* regulation are proclaimed, administration of the Act will be transferred from the PUB to the Funeral Board of Manitoba. This will consolidate the administration of funeral services under the Funeral Board. The Funeral Board initiated consultations regarding a draft regulation in July 2015.

The Prearranged Funeral Services Act (PFSA) regulates the pre-arranged funeral industry in Manitoba. A funeral director providing funeral services for reward under prearranged funeral plans may be licensed by the PUB to enter into prearranged funeral plans. A licensee entering into a prearranged funeral plan is trustee of all monies paid under the plan, until (a) the funeral services mentioned in the plan have been provided in accordance with the plan; or (b) the moneys, or any unused balance have been refunded to the purchaser or paid to his personal representative. The licensee must, within the time prescribed in the regulations, pay the monies received from plan clients to an authorized trustee for deposit in a special fund; interest or income, if any, on such monies accrue to the purchaser.

PUB staff review trust account reports filed by licensees, settle disputes, investigate complaints and suspected wrongdoings by licensees. PUB staff may appear, if necessary, at legal proceedings regarding trust accounts.

During 2016-17, the PUB issued 30 licences pursuant to the PFSA, one less than for 2015-16. The total amount held in trust by licensees for clients as of March 31, 2016 was \$43,546,216.42, compared to \$45,188,753.48 as at the same date the year before.

The PUB has been advised that authority over PFSA will move from PUB to the Funeral Board as of July 1, 2017.

The PUB addresses inquiries and complaints. There were no hearings held or Orders issued by the PUB during the reporting period.

HIGHWAY TRAFFIC BOARD APPEALS

Pursuant to section 21 of *The Highways Protection Act*, Highway Traffic Board decisions can be appealed to the PUB. These usually involve either driveway access to provincial highways, placement of buildings or the placement of signs, especially electronic signs, beside Manitoba highways. Appellants have included local landowners, businesses and Manitoba Infrastructure (MI).

The PUB inspects the physical site related to the dispute and holds a public hearing in the area. Decision criteria include fairness and road safety.

During 2016-17, the Board issued five Orders dealing with Highway Traffic Board appeals.

THE EMERGENCY 911 PUBLIC SAFETY ANSWERING POINT ACT

During 2005/06, *The Emergency 911 Safety Answering Point Act* was enacted. Applicants for provision of 911 service provision can appeal to the Board. To-date, no appeals have been filed.

CITY OF WINNIPEG CHARTER ACT (PASSENGER TRANSPORT)

The City of Winnipeg Charter Act provides that, where the City signs an agreement with an operator to transport customers for a fixed fee within the City of Winnipeg, the agreement must be approved by the Board. The Board must also approve the operator, who then becomes subject to ongoing PUB oversight. Few of these agreements have been considered by the PUB; they have mostly been limited to transport services for children and the elderly.

No passenger transport agreements were signed by the City during 2016-17.

THE CONSUMER PROTECTION ACT

Payday Loans

Man. Reg. 50/2010, the regulation setting the maximum cost of credit for a payday loan under the *Consumer Protection Act (Manitoba)*, came into force on October 18, 2010. Pursuant to section 164(2) of the *Consumer Protection Act (Manitoba)*, the Board was required to conduct a review of issues related to pay day loans within three years after Man. Reg. 50/2010 came into force. The Board submitted that report to the Government on September 23, 2013:

Pursuant to section 164.1(2) of *The Consumer Protection Act (Manitoba)*, every third year, the Minister responsible must review the effectiveness of Part XVIII of that Act and the related regulation and decide:

- a) whether to require a further review by the board in accordance with section 164 of the Act; and
- b) whether to recommend changes to the payday loans provisions of the Act or the regulations under this Part.

By his letter received June 30, 2015, the Minister responsible asked the PUB to review, no later than 2016, the maximum payday loan limits. The PUB was specifically asked to analyze the impacts of reducing the maximum allowable rate that may be charged for a payday loan, from \$17 per \$100 borrowed to \$15 per \$100 borrowed and the impacts of reducing the proportion of a borrower's net pay, which is used to determine the maximum loan amount from 30% to 25%.

The Board undertook the review and issued a report dated June 17, 2016 to the Minister. The Board believed that a balance was required between the financial viability of the payday loans industry and the needs to protect consumers from falling into a debt trap or debt spiral. Its recommendations were:

- The cost for a payday loan remain unchanged at 17% of principal loaned.
- The borrowing limit remain at 30% of net pay.
- The 5% "cooling-off period" rate cap imposed in the regulations only applies for a one day period. After that the client could take out another loan at the regular rate of 17%.
- If a borrower request, the lender would be required to extend the loan for at least another pay period or convert the loan to an installment loan, provided the borrower has successfully paid off three previous payday loans during the preceding 12 month period. If the instalment loan is issued the cap on the rate for the loan should be set at 7%. The instalment loan period should allow repayment over at least the next four pay periods, where no payment exceeds 35% of the sum of the principal and the cost of the borrowing.
- A 5% rate cap on extension renewal and replacement loans remain unchanged.
- Lenders be prohibited from making more than 10 payday loans to a customer in a consecutive 12 month period.

Maximum Fees for Cashing Government Cheques

Pursuant to subsection 169(2) of *The Consumer Protection Act (Manitoba)*, the PUB must by Order fix the maximum amount or establish a rate, formula rate or tariff for determining the maximum amount that may be charged, required or accepted as a government cheque cashing fee. Subsection 169(5) of the Act requires that the PUB review its existing Orders under this section at least once every three years. Government cheques include cheques of the

Government of Canada, Province of Manitoba and any government agency listed in the provincial regulation.

The formula was originally established by Order 72/07 and continued in Order 51/10.

In March 2014, the Board issued Order 25/14 maintaining the rate set in Order 51/10.

The Board undertook a review and issued Order 105/16, dated August 8, 2016, with the following recommendations:

1. The Province of Manitoba should consider providing banks and credit unions with indemnification for provincial government cheques accepted with adequate identification for cheques of \$1500 or lower.
2. The Province of Manitoba should work with financial institutions to reduce the holds on government cheques or eliminate the holds if indemnification is available for financial institutions accepting government cheques.
3. The Government of Manitoba should prepare a detailed report prior to the Board's next triennial review which demonstrates how the Employment and Income Assistance ("EIA") stakeholder communication efforts regarding cheque cashing have impacted participants.
4. The Province of Manitoba should expand opportunities for rural Manitobans to access low cost government issued identification.
5. The Province of Manitoba should create an outreach program regarding low cost government issued identification for Manitobans domiciled outside of the capitol region, and report to the Minister on its effectiveness, within 12-months of its deployment.
6. The Province of Manitoba should actively promote the MPI Identification Card to all EIA participants and continue to provide funding to participants to obtain this identification card.
7. The Province of Manitoba should continue to proactively promote the direct deposit of social assistance cheques in order to further increase the percentage of recipients' use of this mechanism.
8. The Province of Manitoba should mandate that all businesses domiciled in Manitoba cashing government cheques be required to post the regulated cheque cashing rates set by the Board.
9. The Province of Manitoba should create a robust compliance monitoring and sanctioning program in order to ensure that rates set by the Board are being adhered to and, if not, that appropriate penalties be assessed. Additionally, a public report on compliance and sanctioning initiatives should be provided to the Minister on an annual basis.

10. The Province of Manitoba should mandate that periodic inserts be included with government cheques involving promotion materials pertaining to:
 - a. the direct deposit option;
 - b. the low fee accounts offered by financial institutions; and
 - c. MPI's free identification card for eligible applicants.
11. The Province of Manitoba should mandate the Consumer Protection Office to conduct research to determine whether *The Consumer Protection Act* should apply to other types of cheques, and include the research findings and its recommendations in its next triennial report.
12. The Government of Manitoba should undertake research into the risks, costs and effects of extending *The Consumer Protection Act's* cheque cashing provisions to other types of cheques than government cheques.
13. The Government of Manitoba should continue to fund programs that assist community members to obtain government issued identification and improve their financial literacy.
14. The list of government agencies whose cheques are subject to the maximum fees set by the Board should be expanded to include:
 - a. All agencies included within the Summary Accounts of the Province of Manitoba; and
 - b. Municipal governments.

PUB GOVERNANCE AND ADMINISTRATION

Board's Rules of Practice and Procedure

The PUB adheres to relevant legislation and its Rules of Practice and Procedure:

http://www.pubmanitoba.ca/v1/pdf/pandp/rules_pandp_mar07.pdf

This framework provides assurance and guidance to regulated utilities, interveners, Members of the Legislative Assembly, government and other interested parties about the PUB management of its processes.

PUB Members, Employees and Advisors

The PUB Act specifies a minimum complement of three members, including a full-time Chair who is also the Chief Executive Officer, but does not specify the maximum number of members. All appointees serve at the pleasure of the Lieutenant-Governor. With the exception of the full-time Chair, all members are part-time and receive the prescribed remuneration for their services.

Members are subject to the PUB's Code of Conduct:

http://www.pubmanitoba.ca/v1/pdf/misc/members_code-2011.pdf

Members complete a conflict of interest declaration every year.

Members of the Board as at March 31, 2017

Robert Gabor, Q.C., B.A., LLB, Chair

Karen Botting, B.A., M.A., M.Ed., Vice-Chair

The Honourable Anita Neville, P.C., B.A (Hons)

Marilyn Kapitany, B.Sc. (Hons), M.Sc.

Hugh Grant, Ph.D. (Economics)

Al Morin, B.A. (Economics), ICD.D

Larry Ring, Q.C., B.A., LLB

Carol Hainsworth, C.B.A.

Susan Nemec, FCPA, FCA

Sharon McKay

Shawn McCutcheon

Rheal Teffaine, Q.C.

A brief biography of the members is available on the PUB's website at:

<http://www.pubmanitoba.ca/v1/about-pub/faq/members.html>

PUB Employees as at March 31, 2017

Brenda Bresch, Office Manager

Darren Christle, MPA, B.A., CCLP, P. Log., MCIT, Secretary and Executive Director

Anne Cloutier, Administrative Officer

Jennifer Dubois, CPA, CMA, Assistant Associate Secretary

Kurt Simonsen, BSc (Engineering), M.N.R.M., Associate Secretary

Diana Villegas, Judicial Hearing Assistant

Angela Wilde, Executive Coordinator to the Chair

Advisors:

The PUB has the authority to retain advisors to assist in fulfilling its obligations.

The PUB relies on expert advisors from the fields of accounting, actuarial science, engineering and law. Its regular advisors as at March 31, 2017 were:

Accounting	Roger Cathcart, Cathcart Advisors Inc. Candace Martyszenko, Cathcart Advisors Inc.
Actuarial Science	Brian Pelly, Eckler Partners LLP
Engineering	Brady Ryall, Ryall Engineering Ltd. David Bonin, Ryall Engineering Ltd.
Law	Robert Peters, Fillmore Riley LLP Dayna Steinfeld, Fillmore Riley LLP Kathleen McCandless, Pitblado LLP Robert Watchman, Pitblado LLP

PUB advisors are subject to and paid in accordance with the Board's Policy and Billing Rates for Advisory Services.

FINANCIAL INFORMATION

Public Utilities Board Statement of Revenues and Expenditures As of March 31, 2017

	<u>2016-17</u> (\$000's)	<u>2015-16</u> (\$000's)
Sources of funding		
Appropriation	\$1,500	\$ 1,350
	\$ 1,500	\$ 1,350
Expenditures		
Salaries & per diems	\$ 951	\$ 854
Rate regulation and safety related costs	\$ 0	\$ 30
General overheads (rent, technology, utilities, etc.)	\$ 546	\$ 588
	\$ 1,497	\$ 1,472
Excess (shortfall) of revenues over expenses ¹	\$ 3	\$ -122

Net Government Funding of the PUB

Appropriation spent by PUB ¹	\$ 1,500	\$ 1,472
Fees collected by the PUB ²	\$ 1,108	\$ 1,146
Net government funding to the PUB	\$ 392	\$ 326

¹ PUB fees are paid by utilities and licensees into the Consolidated Revenue Fund via the Minister of Finance. Expenses of the PUB are paid out of the departmental appropriation.

²Unspent appropriated funds are not accumulated in PUB reserves.

**PUB Fees and Costs Paid by Utilities
As of March 31, 2017**

	<u>2016-17</u> (\$000's)		<u>2015-16</u> (\$000's)	
<u>Manitoba Hydro</u>				
PUB Fees: ¹				
electricity	312		313	
gas operations	<u>395</u>	707	<u>420</u>	736
Cost of PUB advisors, paid by Manitoba Hydro:				
electricity	2177		1791	
regulatory matters	35		0	
gas operations	<u>363</u>	2575	<u>492</u>	2283
Costs of interveners, paid by Manitoba Hydro: ²				
electricity	263		315	
NFAT	0			
gas operations	<u>0</u>	<u>263</u>	<u>97</u>	<u>412</u>
<i>Aggregate Manitoba Hydro</i>		3545		3428
<u>Manitoba Public Insurance (MPI)</u>				
Fees - MPI ¹	312		314	
Cost of PUB advisors, paid by MPI	564		394	
Cost of Interveners, paid by MPI	<u>318</u>		<u>192</u>	
<i>Aggregate MPI</i>		1194		900
<u>Other Fees</u>				
Stittco Utilities Man Ltd. ¹	9		2	
Water & Sewer Utilities - All others ^{1 2 3}	56		52	
Funeral related activities ^{1 3}	11		13	
Natural Gas Brokers ³	4		5	
Government (pay day loans)	0		21	
Highway Traffic Act	<u>0</u>		<u>6</u>	
<i>Aggregate Other</i>		80		61
Consolidated fees and costs		4,819		4,427

¹ Fees payable to the PUB by utilities, and applicants are set out in the Public Utilities Board Fees Regulations as prescribed by the PUB pursuant to s. 57 of *The Public Utilities Board Act*

² The PUB directs utilities and applicants to pay the costs of PUB advisors. By Board Order, the PUB also requires utilities and applicants to pay all or a portion of the costs incurred by intervenors in its hearings. The costs are paid directly by the utilities and applicants to the parties that have been granted cost awards. These payments are not made to the PUB or the Consolidated Revenue Fund.

³ Licence fees paid by applicants are either fixed by regulation or by Board Order.

Aggregate Cost of PUB Operations
As of March 31, 2017

	<u>2016-17</u> (\$000's)	<u>2015-16</u> (\$000's)
PUB expenditures funded by appropriation	\$1,497	\$ 1,472
Total PUB Advisor costs billed to regulated entities	3,139	2,677
Total Intervener costs billed to regulated entities	581	604
Aggregate Cost of PUB Operations	\$ 5,217	\$ 4,753

SUMMARY OF PUB ACTIVITIES

Licences Issued

2016-17

	2016/2017	2015/2016
Direct Purchase of Natural Gas		
Brokers	9	11
<i>The Prearranged Funeral Services Act</i>		
Licences	30	31
Total licenses issued	39	42

Orders Issued

2016-17

	2016/2017		2015/2016	
Regulated Industry Orders				
Water and Sewer Utilities				
Applications for rates	23		32	
Applications to address deficits	19		21	
Applications to address rates and deficits	4		3	
Review and Vary decisions	7		3	
Miscellaneous, including complaints	<u>15</u>	68	<u>7</u>	66
Manitoba Hydro				
Electricity operations	61		60	
Centra Gas Manitoba Inc.	<u>6</u>	67	<u>8</u>	68
Natural Gas and Propane Utilities and Pipelines				
Stittco Utilities Man Ltd.	6		5	
Pipeline gas safety	<u>1</u>	7	<u>1</u>	6
Manitoba Public Insurance	6		7	7
<i>The Highways Protection Act</i>	5		4	4
Fees for cashing Government Cheques	1		0	
Maximum Charges for Payday Loans	1		4	4
<i>The Prearranged Funeral Services Act</i>	0		0	
Orders made of PUB's own motion	0		0	
Total number of Orders issued		<u>155</u>		<u>156</u>

Note: Copies of the decisions of The Public Utilities Board of Manitoba are available from the PUB's office upon request, and are posted on the PUB's website (<http://www.pubmanitoba.ca/v1/proceedings-decisions/orders/index.html>). The Orders indicated above include Orders related to applications for costs by interveners in the PUB's processes.

Summary of Board Orders Issued for Year 2016/17

ORDER NO.	APPLICANT	SUMMARY
47/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of April 11 to April 17, 2016 of the Surplus Energy Program Rate
48/16	Consumer Coalition	Order With Respect to Award of Costs for Intervention at Manitoba Hydro's 2014/15 & 2015/16 General Rate Application
49/16	Municipality of Russell Binscarth	Surcharge to Recover Debenture Servicing Costs Effective December 31, 2016
50/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of April 18 to April 24, 2016 of the Surplus Energy Program Rate
51/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of April 25 to May 1, 2016 of the Surplus Energy Program Rate
52/16	Municipality of Russell-Binscarth	Town of Russell – Water and Wastewater Utility – 2014 Operating Deficit
53/16	Centra Gas Manitoba Inc.	Order in Respect of an Interim Ex Parte Application for Approval of a Franchise Agreement for the Rural Municipality of Minto-Odanah
54/16	Manitoba Hydro	Interim Ex Parte Approval – Curtailable Rate Program Reference Discount, Effective April 1, 2016
55/16	Rural Municipality of St. Francois Xavier	Order Varying Board Order No. 120/15 – Water and Wastewater Rates
56/16	Stittco Utilities Man Ltd.	Propane Rates Effective May 1, 2016

ORDER NO.	APPLICANT	SUMMARY
57/16	Centra Gas Manitoba Inc.	Primary Gas Rate Application, Effective May 1, 2016
58/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of May 2 to May 8, 2016 of the Surplus Energy Program Rate
59/16	Manitoba Hydro	Order in Respect of an Application for April 1, 2016 Interim Rates
60/16	City of Brandon	Water and Wastewater Rates - July 1, 2016, 2017 and 2018
61/16	Town of Niverville	Water Rates and Approval of Utility Deficit - July 1, 2016, 2017 and 2018
62/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of May 9 to May 15, 2016 of the Surplus Energy Program Rate
63/16	Rural Municipality of Whitemouth	Whitemouth Water Utility – Operating Deficits 2012, 2013 and 2014
64/16	Rural Municipality of Whitemouth	Whitemouth Wastewater Utility – 2014 Operating Deficit
65/16	Town of Arborg	Water and Wastewater Rates – 2016, 2017 and 2018
66/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of May 16 to May 22, 2016 of the Surplus Energy Program Rate
67/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of May 23 to May 29, 2016 of the Surplus Energy Program Rate

ORDER NO.	APPLICANT	SUMMARY
68/16	Manitoba Hydro	Order Approving Rate Filings for August 1, 2016 Rates
69/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of May 30 to June 5, 2016 of the Surplus Energy Program Rate
70/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of June 6 to June 12, 2016 of the Surplus Energy Program Rate
71/16	Consumers' Association of Canada (Manitoba) Inc., Winnipeg Harvest, Community Financial Counselling Service (The Consumer Coalition)	Award of Costs: Intervention in the 2016 Manitoba Payday Lending Review
72/16	Municipality of Westlake-Gladstone	Langruth Water and Wastewater Utility – Operating Deficits 2013 and 2014
73/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of June 13 to June 19, 2016 of the Surplus Energy Program Rate
74/16	Municipality of Two Borders	Lyleton Water Utility – 2016, 2017 and 2018 Final Rates – 2012 and 2013 Deficits
75/16	Rural Municipality of Hanover	Local Improvement District No. 4 - Mitchell Utility – Cost Allocation Methodology
76/16	Rural Municipality of Lac du Bonnet	Water and Wastewater Rates – April 1, 2016, January 1, 2017, 2018 and 2019
77/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of June 20 to June 26, 2016 of the Surplus Energy Program Rate
78/16	Municipality of Westlake-Gladstone	Langruth Water and Wastewater Utility – July 1, 2016, January 1, 2017 and 2018 Rates

ORDER NO.	APPLICANT	SUMMARY
79/16	Rural Municipality of Prairie Lakes	Local Improvement District No. 1 of Dunrea – Water Utility Rates – July 1, 2016
80/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of June 27 to July 3, 2016 of the Surplus Energy Program Rate
81/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of July 4 to July 10, 2016 of the Surplus Energy Program Rate
82/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of July 11 to July 17, 2016 of the Surplus Energy Program Rate
83/16	Consumer Coalition	Order With Respect to Award of Costs for Intervention at Manitoba Hydro's Application for Interim Rates Effective April 1, 2016
84/16	Manitoba Hydro	Second Procedural Order in Respect of Cost of Service Study Methodology Review
85/16	Manitoba Public Insurance Corporation	Procedural Order (2017/18 Rates and Premiums for Compulsory Driver and Vehicle Insurance), Timetable for a Public Hearing, Approval of Interveners and Approval of Issues
86/16	Ms. Joyce McGregor	An Order Respecting a Complaint Against Manitoba Hydro
87/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of July 18 to July 24, 2016 of the Surplus Energy Program Rate
88/16	Village of Dunnottar	Wastewater Utility – Final Rates

ORDER NO.	APPLICANT	SUMMARY
89/16	Municipality of Russell Binscarth	Order Varying Board Order No. 49/16 – Surcharge to Recover Debenture Servicing Costs Effective Date
90/16	Manitoba Public Utilities Board	Order in Respect of Regulatory Oversight of Gas Safety Matters
91/16	Rural Municipality of Dauphin	Water Utility – Initial Interim Rates – Effective July 1, 2016
92/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of July 25, 2016 to July 31, 2016 of the Surplus Energy Program Rate
93/16	City of Flin Flon	Water and Wastewater Utility – 2014 Actual Deficit – Final Water and Wastewater Rates
94/16	Town of Carman	Water and Wastewater Rates 2016, 2018 and 2019 – Approval in Principle to Recover Debenture Servicing Costs for Utility Capital Projects
95/16	Rural Municipality of De Salaberry	Otterburne Wastewater Utility – Interim Lagoon Tipping Fees
96/16	Rural Municipality of De Salaberry	St. Malo Water and Wastewater Utility – Interim Lagoon Tipping Fees
97/16	Municipality of Pipestone	Rural Pipeline and Reston Utility – Water and Wastewater Rates 2016, 2017 and 2018
98/16	Centra Gas Manitoba Inc.	Primary Gas Rate Application Effective August 1, 2016
99/16	Rural Municipality of Riding Mountain West	Local Urban District of Angusville Utility – Approval to Withdraw Rate Application – Confirmation of Interim Ex Parte Rates as Final

ORDER NO.	APPLICANT	SUMMARY
100/16	Stittco Utilities Man Ltd.	Propane Rates Effective August 1, 2016
101/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of August 1, 2016 to August 7, 2016 of the Surplus Energy Program Rate
102/16	Mr. Chiew Chong	Decision on Complaint Against the City of Thompson
103/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of August 8 to August 14, 2016 of the Surplus Energy Program Rate
104/16	Rural Municipality of Gimli	Water and Wastewater Rates – Local Urban District of Gimli Water Utility – Pelican Beach Water Utility – Industrial Park Water Utility – Regional Sewer System Utility – Final Rates
105/16	The Public Utilities Board	Maximum Fees for Cashing Government Cheques
106/16	George J. Orle Q.C. Legal Corporation (Representing the Manitoba Keewatinowi Okimakanak Inc.)	Order With Respect to Award of Costs Intervention in Manitoba Hydro's Application for Interim Rates Effective April 1, 2016
107/16	City of Selkirk	An Order Respecting Approval to Use Utility Reserve Funds
108/16	Rural Municipality of Roland	2014 Operating Deficit – Water and Wastewater Rates
109/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of August 15 to August 21, 2016 of the Surplus Energy Program Rate
110/16	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of August 22 to August 28, 2016 of the Surplus Energy Program Rate

ORDER NO.	APPLICANT	SUMMARY
111/16	Rural Municipality of West St. Paul	Order varying Board Order No. 24/16 – Rural Municipality of West St. Paul – Wastewater interim rates
112/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex Parte Approval for the Week of August 29, 2016 to September 4, 2016 of the Surplus Energy Program Rate
113/16	Manitoba Hydro	An Application by Manitoba Hydro for interim Ex parte Approval for the Week of September 5, 2016 to September 11, 2016 of the Surplus Energy Program Rate
114/16	Rural Municipality of Alexander	Rural Municipality of Alexander - Pine Grove Utility Water Rates – 2017, 2018 and 2019.
115/16	T.E. Holdings Ltd.	Complaint of T.E. Holdings Ltd. Against the City of Thompson - Re: Collection Practices for Water and Wastewater Utility
116/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex parte Approval for the Week of September 12, 2016 to September 18, 2016 of the Surplus Energy Program Rate
117/16	Municipality of Clanwilliam-Erickson	Municipality of Clanwilliam-Erickson-Water and Wastewater Utility-Budgeted Operating Deficit for 2016
118/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex parte Approval for the Week of September 19, 2016 to September 25, 2016 of the Surplus Energy Program Rate
119/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex parte Approval for the Week of September 26, 2016 to October 2, 2016 of the Surplus Energy Program Rate

ORDER NO.	APPLICANT	SUMMARY
120/16	Rural Municipality of Portage La Prairie	Rural Municipality of Portage La Prairie – Oakville Water and Wastewater Utility – Actual deficit for 2015
121/16	Grandview Municipality	Grandview Municipality – Sugarloaf Water Utility – Operating Deficit for 2013
122/16	Rural Municipality of Hanover	Rural Municipality of Hanover – Local Improvement District No. 5 – Cost Allocation Methodology
123/16	City of Selkirk	Order Varying Board Order No. 107/16 for an Order Respecting the City of Selkirk Approval to Use Utility Reserve Funds
124/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex parte Approval for the Week of October 3, 2016 to October 9, 2016 of the Surplus Energy Program Rate
125/16	Rural Municipality of Cartier	An Order Respecting the Rural Municipality of Cartier Water and Wastewater Rates 2016, 2017 and 2018; Approval of Deficits for 2011 and 2014
126/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex parte Approval for the Week of October 10, 2016 to October 16, 2016 of the Surplus Energy Program Rate
127/16	Municipality of Russell-Binscarth	An Order Respecting the Municipality of Russell Binscarth Approval in Principle to Recover Debenture Servicing Costs for a Regional Water Treatment Plant and Pipeline Project
128/16	Local Government District of Pinawa	Local Government District of Pinawa – Water and Wastewater Rates 2016, 2017 & 2018 and 2013 & 2014 Actual Deficits

ORDER NO.	APPLICANT	SUMMARY
129/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex parte Approval for the Week of October 17, 2016 to October 23, 2016 of the Surplus Energy Program Rate
130/16	Municipality of Lorne	Municipality of Lorne – Village of Somerset – Water and Wastewater Utility – Actual Operating Deficit for 2011
131/16	Rural Municipality of Mountain	Order Varying Board Order No. 23/16 for Rural Municipality of Mountain – Mafeking Utility – Interim <i>Ex Parte</i> Water and Wastewater Rates
132/16	Rural Municipality of Mountain	Order Varying Board Order No. 21/16 for Rural Municipality of Mountain – Birch River Utility – Interim <i>Ex Parte</i> Water and Wastewater Rates
133/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex parte Approval for the Week of October 24, 2016 to October 30, 2016 of the Surplus Energy Program Rate
134/16	Rural Municipality of Ste. Rose	Rural Municipality of Ste. Rose Local Improvement District No. 1 of Laurier – Utility Rates – January 1, 2017 and 2018
135/16	Stittco Utilities Man Ltd.	Stittco Utilities Man Ltd. Propane Rates Effective November 1, 2016
136/16	Stittco Utilities Man Ltd.	Stittco Utilities Man Ltd. Interim Non-Commodity Costs Effective November 1, 2016
137/16	Centra Gas Manitoba Inc.	Centra Gas Manitoba Inc. – Primary Gas Rate and Approval of Non-Primary Gas Rate Riders Application Effective November 1, 2016

ORDER NO.	APPLICANT	SUMMARY
138/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex parte Approval for the Week of October 31, 2016 to November 6, 2016 of the Surplus Energy Program Rate
139/16	Grandview Municipality	Grandview Municipality - Urban Water and Wastewater Utility Actual Operating Deficit for 2014
140/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex parte Approval for the Week of November 7, 2016 to November 13, 2016 of the Surplus Energy Program Rate
141/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex parte Approval for the Week of November 14, 2016 to November 20, 2016 of the Surplus Energy Program Rate
142/16	Rural Municipality of Harrison Park	Rural Municipality of Harrison Park Onanole Water and Wastewater Utility – Initial Interim <i>Ex Parte</i> Rates
143/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex Parte Approval for the Week of November 21, 2016 to November 27, 2016 of the Surplus Energy Program Rate
144/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex Parte Approval for the Week of November 28, 2016 to December 4, 2016 of the Surplus Energy Program Rate
145/16	Rural Municipality of Victoria	Rural Municipality of Victoria – Local Urban District of Cypress River – Water and Wastewater Utility – January 1, 2017, July 1, 2017 and July 1, 2018 Rates
146/16	Rural Municipality of Victoria	Rural Municipality of Victoria – Local Urban District of Holland – Water and Wastewater Utility - January 1, 2017, July 1, 2017 and July 1, 2018 Rates

ORDER NO.	APPLICANT	SUMMARY
147/16	Rural Municipality of Gimli	An Order Respecting the Rural Municipality of Gimli, Gimli Urban Centre, Gimli Business Park, Aspen Park and Pelican Beach Utilities Approval in Principle to Recover Debenture Servicing Costs for Water Treatment and Distribution System Upgrades
148/16	City of Thompson	An Order Respecting the City of Thompson Approval in Principle to Recover Debenture Servicing Costs for an Upgrade to the Wastewater Treatment Plant Project
149/16	Town of Swan River	Town of Swan River – Water and Wastewater Rates 2017 and 2018
150/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex Parte Approval for the Week of December 5, 2016 to December 11, 2016 of the Surplus Energy Program Rate
151/16	Rural Municipality of Roland	Rural Municipality of Roland – Water and Wastewater Utility 2015 Actual Operating Deficit
152/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex Parte Approval for the Week of December 12, 2016 to December 18, 2016 of the Surplus Energy Program Rate
153/16	Rural Municipality of Montcalm	Rural Municipality of Montcalm – Letellier Water and Wastewater Utility – Actual Operating Deficits for 2012, 2013, and 2014
154/16	Rural Municipality of Montcalm	Rural Municipality of Montcalm – Montcalm Water Utility – Actual Operating Deficit for 2014
155/16	Rural Municipality of Montcalm	Rural Municipality of Montcalm – St. Joseph Water Utility – Actual Operating Deficit for 2014
156/16	Rural Municipality of Rosedale	Rural Municipality of Rosedale – Kelwood Water Utility – Actual Operating Deficit for 2014

ORDER NO.	APPLICANT	SUMMARY
157/16	Rural Municipality of Dufferin	Rural Municipality of Dufferin – Water Utility – 2015 Operating Deficit
158/16	Stittco Utilities Man. Ltd.	Stittco Utilities Man Ltd. – Non Commodity Costs Effective January 1, 2017
159/16	Petersfield Curling Club	Appeal of the Highway Traffic Board Decision dated December 1, 2016 – File No. 1/009/058/S/16 (Petersfield Curling Club)
160/16	City of Selkirk	An Order Respecting the City of Selkirk Approval in Principle to Recover Debenture Servicing Costs for a Wastewater Treatment Plant Upgrade Project
161/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex Parte Approval for the Week of December 19, 2016 to December 25, 2016 of the Surplus Energy Program Rate
162/16	Manitoba Public Insurance Corporation	Manitoba Public Insurance Corporation (MPI or the Corporation): Compulsory 2017/18 Driver and Vehicle Insurance Premiums and Other Matters
163/16	Town of Swan River	Order Varying Board Order No. 149/16 for the Town of Swan River Water and Wastewater Rates 2017 and 2018
164/16	Manitoba Hydro	Order in Respect of a Review of Manitoba Hydro's Cost of Service Study Methodology
165/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex Parte Approval for the Week of December 26, 2016 to January 1, 2017 of the Surplus Energy Program Rate
166/16	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex Parte Approval for the Week of January 2, 2017 to January 8, 2017 of the Surplus Energy Program Rate

ORDER NO.	APPLICANT	SUMMARY
167/16	Manitoba Public Insurance Corporation	An Order Approving Specific Compulsory Driver and Vehicle Insurance Premiums pursuant to Board Order 162/16
1/17	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of January 9, 2017 to January 15, 2017 of the Surplus Energy Program Rate
2/17	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of January 16, 2017 to January 22, 2017 of the Surplus Energy Program Rate
3/17	Rural Municipality of Thompson	Miami Water and Wastewater Utility – Actual Operating Deficits for 2013, 2014, and 2015
4/17	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of January 23, 2017 to January 29, 2017 of the Surplus Energy Program Rate
5/17	Bike Winnipeg	Award of Costs – Intervention in Manitoba Public Insurance Corporation’s General Rate Application for the 2017/18 Insurance Year
6/17	Up In the Air Media	Appeal of the Highway Traffic Board Decision dated September 12, 2016 – File No. 3/010/052/S/16
7/17	Centra Gas Manitoba Inc.	Primary Gas Rate Application, effective February 1, 2017
8/17	Stittco Utilities Man Ltd.	Propane Rates effective February 1, 2017
9/17	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex Parte for the Week of January 30, 2017 to February 5, 2016 of the Surplus Energy Program Rate
10/17	Post Time Signs	Appeal of the Highway Traffic Board decision dated October 31, 2016 – File No. 1/009/061/S/16

ORDER NO.	APPLICANT	SUMMARY
11/17	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of February 6, 2017 to February 12, 2017 of the Surplus Energy Program Rate
12/17	Rural Municipality of Thompson	Rural Water Utility – Actual Operating Deficits for 2014 and 2015
13/17	Municipality of Riverdale	Rivers Water and Wastewater Utility – Actual Operating Deficit for 2014
14/17	Daniel Kleinsasser (O/A Danny's Whole Hog Inc.)	Appeal of the Highway Traffic Board Decision dated November 20, 2015 – File No. 2/067/015/A/16
15/17	Town of Neepawa	An Order Respecting the Town of Neepawa Water and Wastewater Rates – July 1, 2017, 2018 and 2019
16/17	Rural Municipality of Lac du Bonnet	An Order Respecting the Rural Municipality of Lac du Bonnet Request for Extension
17/17	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of February 13, 2017 to February 19, 2017 of the Surplus Energy Program Rates
18/17	Rural Municipality of Ellice – Archie	St. Lazare Water and Wastewater Utility – Interim Ex Parte Water and Wastewater Rates
19/17	Municipality of Harrison Park	Onanole Water and Wastewater Rates
20/17	Coalition of Manitoba Motorcycle Groups (CMMG)	Award of Costs: Intervention in Manitoba Public Insurance Corporation's General Rate Application for the 2017/18 Insurance Year
21/17	Town of Stonewall	An Order Respecting the Town of Stonewall – Proposed Service Fee for Adding Outstanding Bills to Property Taxes

ORDER NO.	APPLICANT	SUMMARY
22/17	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of February 20, 2017 to February 26, 2017 of the Surplus Energy Program Rates
23/17	Husky Oil Limited	An Order Respecting Complaint Filed by Husky Oil Limited Against the Town of Minnedosa
24/17	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of February 27, 2017 to March 5, 2017 of the Surplus Energy Program Rates
25/17	Prairie View Municipality	Foxwarren Wastewater Utility – Actual Operating Deficit for 2015
26/17	TransCanada Pipelines Limited	An Order in Respect of a Motion by TransCanada Pipelines Limited for Disclosure of a Confidential Filing by Centra Gas Manitoba Inc.
27/17	Manitoba Hydro	An Application for Interim Ex parte Approval for the Week of March 6, 2017 to March 12, 2017 of the Surplus Energy Program Rates
28/17	Rosburn Municipality	An Order Respecting the Rosburn Municipality Sunset Point Utility Interim Water Rates
29/17	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of March 13, 2017 to March 19, 2017 of the Surplus Energy Program Rates
30/17	Manitoba Hydro	An Application for Interim Ex Parte Approval for the Week of March 20, 2017 to March 26, 2017 of the Surplus Energy Program Rates
31/17	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex Parte Approval for the Week of March 27, 2017 to April 2, 2017 of the Surplus Energy Program Rates

ORDER NO.	APPLICANT	SUMMARY
32/17	Daniel Kleinsasser (O/A Danny's Whole Hog Inc.)	Amendment of Order 14/17 - Appeal of the Highway Traffic Board Decision dated November 20, 2015 – File No. 2/067/015/A/16 (Daniel Kleinsasser O/A Danny's Whole Hog Inc.)
33/17	Consumers' Association of Canada (Manitoba) Inc.	Award of Costs: Consumers' Association of Canada (Manitoba) Inc. Intervention in Manitoba Public Insurance Corporation's General Rate Application for the 2017/18 Insurance Year
34/17	Manitoba Hydro	An Application by Manitoba Hydro for Interim Ex Parte Approval for the Week of April 3, 2017 to April 9, 2017 of the Surplus Energy Program Rates