

Order No. 93/19

**AN ORDER VARYING BOARD ORDER No. 87/19
FOR THE RURAL MUNICIPALITY OF ELLICE-ARCHIE
McAULEY WATER and WASTEWATER UTILITY**

July 5, 2019

**BEFORE: Shawn McCutcheon, Panel Chair
Irene A. Hamilton, Panel Member**

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1.0 Executive Summary

The Rural Municipality of Ellice-Archie (RM) requested that the Public Utilities Board (Board) reconsider the exclusion of a clause in the Utility rate By-law allowing the McAuley Water and Wastewater Utility (Utility) to charge properties which do not have meters but have public utility infrastructure available for immediate service a quarterly flat service charge.

After review, the Public Utilities Board varies Board Order No. 87/19 to include the clause as requested.

Details of the revised Utility rate By-law are in the attached Schedule “A”.

Rationale for the PUB’s decisions may be found under “Board Findings on the Issues”.

2.0 Background

On June 24, 2019 the Board issued Order 87/19 granting revised utility rates effective July 1, 2019 for the Utility using the Simplified Filing Process. The Board required the RM to remove clause #2 d) *Unmetered Properties* from the Utility rate By-law because this clause was not found in the previous By-law #1520.

3.0 Application

The RM requested on July 2, 2019 that the Board review and vary Board Order No. 87/19 to include the excluded clause, stating it had been in the previous By-law #1520, but was in a separate section under clause #10. The RM provided a copy of the By-law for the Board's consideration.

4.0 Board Findings

After considering the information filed, the Board concludes that the Order is to be varied to include the clause previously excluded in Board Order No. 87/19. The Board apologizes for the oversight and thanks the RM for its patience.

5.0 IT IS THEREFORE ORDERED THAT:

- 1) Schedule "A" of the Public Utilities Board Order No. 87/19 for the Rural Municipality of Ellice- Archie, MCAuley Utility BE AND IS HEREBY VARIED to include clause #2 d) *Unmetered Properties* as originally included in the Utility rate By-law.

Board decisions may be appealed in accordance with the provisions of Section 58 of *The Public Utilities Board Act*, or reviewed in accordance with Section 36 of the Board's Rules of Practice and Procedure. The Board's Rules may be viewed on the Board's website at www.pubmanitoba.ca.

THE PUBLIC UTILITIES BOARD

"Shawn McCutcheon"
Panel Chair

"Jennifer Dubois, CPA, CMA"
Assistant Associate Secretary

Certified a true copy of Order No. 93/19
issued by The Public Utilities Board



Assistant Associate Secretary

SCHEDULE "A"

SCHEDULE OF QUARTERLY RATES

1. **BASIC COMMODITY (for minimum charge based on meter size) PER C.M. (cubic meter)**

Water	Sewer	Water & Sewer
\$2.82	\$1.41	\$4.23

1. **BASIC COMMODITY (over minimum charge based on meter size) RATES PER C.M. (cubic meter)**

Water	Sewer	Water & Sewer
\$1.44	\$0.41	\$1.85

2) MINIMUM CHARGES PER QUARTER

Notwithstanding the Commodity Rates set forth in paragraph (1), all customers will pay the applicable minimum charges set out below, which includes the water allowance as indicated:

(a) Water & Sewer Customers

<i>Meter Size</i>	<i>Water Included (C.M.)</i>	<i>Service Charge</i>	<i>Water Commodity Charge</i>	<i>Sewer Commodity Charge</i>	<i>Water & Sewer Minimum Charge</i>
5/8"	14	\$15.45	\$39.45	\$19.70	\$74.60
3/4"	28	\$15.45	\$78.95	\$39.50	\$133.90
1"	56	\$15.45	\$157.90	\$78.95	\$252.30

(b) Water Only Customers

Minimum charge will be the same for each meter, but the Sewer Commodity Charge will be excluded.

(c) Sewer Only Customers

There currently are no sewer only customers in McAuley.

(d) Unmetered Properties

All properties that do not have meters, but yet have the public utility infrastructure available for immediate service shall be charged a flat service charge of \$15.45 quarterly.

3) BULK SALES RATE

All water sold in bulk shall be charged at a rate of \$12.80 per 1,000 gallons (\$0.0128 per gallon) on a pro-rated basis for all quantities greater than 400 gallons. For any quantity, less than 400 gallons during the billing quarter, the minimum charge shall be \$5.15.

4) BILLING, PENALTIES & ADMINISTRATION FEES

- (a) BILLING: Accounts shall be billed quarterly: March, June, September and December; and shall be due and payable 30 days thereafter.
- (b) PENALTIES: A late payment charge of 1.25% per month shall be charged on the dollar amount owing after the billing due date.
- (c) ADMINISTRATION FEES: a customer will be charged an administration fee of \$10.00 to cover the cost of adding outstanding utility accounts to the tax roll.

5) SERVICE TO CUSTOMERS OUTSIDE MUNICIPALITY OR VILLAGE LIMITS

The Council of the RM of Ellice – Archie may sign agreements with customers for the provision of water and sewer services to properties located outside the legal boundaries of the municipality. Such agreements shall provide for payment of the appropriate rates set out in the schedule, as well as a surcharge, set by resolution of Council, which shall be equivalent to the frontage levy, general taxes and special taxes for utility purposes in effect at the time, or may be in effect from time to time, and which would be levied on the property concerned if it were within these boundaries. In addition, all costs of connecting to the utility's main and installing and maintaining service connections will be paid by the customer.

6) NON-WORKING METERS

When a meter ceases to function and a correct reading cannot be recorded, the charge to that customer for the current quarter shall be the average of the billings for the last two quarters to the same customer or to the same premises if the occupant has changed.

7) DISCONNECTION & RECONNECTION

The Public Utilities Board has approved the Conditions Precedent to be followed by the Village with respect to the disconnection of service for non-payment including such matters as notice and the right to appeal such action to the Public Utilities Board. A copy of the Conditions Precedent is available for inspection at the municipal office.

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$25.00 has been paid.

8) OUTSTANDING BILLS

Pursuant to Section 252(2) of The Municipal Act, the amount of all outstanding charges for water and sewer services are a lien and charge upon the land serviced, and shall be collected in the same manner in which ordinary taxes upon land are collectible, and with like remedies. Administration fees set out in 4. (c) are applicable.

9) WATER ALLOWANCE DUE TO LINE FREEZING

That in any case where, at the request of the Council, a customer allows water to run continuously for any period of time to prevent the water lines in the water system from freezing, the charge to that customer for the current quarter shall be the average of the billings for the last two previous quarters to the same customer, or to the same premises if the occupant has changed.

Requests for this water allowance must be issued to council in writing and approved at the next scheduled council meeting.

10) WATER METER HOOK-UP FEE

A \$50.00 service charge will be levied when a water meter is connected and service is provided.