

**Order No. 17/20**

**RURAL MUNICIPALITY OF YELLOWHEAD  
STRATHCLAIR WATER AND WASTEWATER UTILITY  
FINAL WATER AND WASTEWATER RATES**

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**January 31, 2020**

**BEFORE: Carol Hainsworth, C.B.A., Panel Chair  
Marilyn Kapitany, BSc. (Hon), MSc., Panel Member**

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## 1.0 Executive Summary

By this Order, the Manitoba Public Utilities Board (Board) confirms as final interim water and wastewater rates for the Rural Municipality of Yellowhead (RM), Strathclair Water and Wastewater Utility (Utility).

Board Order No. 44/19 previously established the water and wastewater rates on an interim ex parte basis.

The final rates are below:

	July 1, 2019	July 1, 2020	July 1, 2021
Water per 1,000 gallons	\$ 20.73	\$ 22.27	\$ 23.80
Wastewater per 1,000 gallons	\$ 5.93	\$ 7.00	\$ 8.06
Quarterly Service Charge	\$ 20.07	\$ 20.18	\$ 20.29
Minimum Quarterly Charge*	\$ 100.05	\$ 107.99	\$ 115.87
Bulk Water Rates per 1,000 gallons	\$ 24.00	\$ 32.00	\$ 33.00
Quarterly Charge for Wastewater Only Customers**	\$ 49.72	\$ 55.18	\$ 60.59

\*based on 3,000 gallons

\*\*based on 5,000 gallons plus the quarterly customer service charge

Details of other rates can be found in Schedule A.

The reasons for the Board's decisions are under Board Findings.

## 2.0 Background

The Strathclair Water and Wastewater Utility lines were originally installed in the 1960s in the former Rural Municipality of Strathclair LID No. 1. In 2015 the Rural Municipality of Strathclair amalgamated with Shoal Lake Municipality to form the Rural Municipality of Yellowhead.

The system provides water only or water and wastewater services to 187 customers. Utility bills are mailed out quarterly separate from property tax bills. The Utility currently provides water only service to two customers.

Prior to the interim *ex parte* rates set in April 2019 in Board Order No. 44/19, rates were last approved in Board Order No. 61/07.

### Water Supply/Distribution

The water treatment plant was upgraded in 2002 and is operated by the Manitoba Water Services Board.

The water distribution system was constructed in 1963 and some lines have been replaced since then. Water lines have largely been replaced with PVC lines.

### Wastewater Collection and Treatment

The wastewater lagoon is composed of two cells, with the second cell constructed in 2004. Wastewater lines are flushed on an annual basis and any deficiencies have been corrected as needed.

## 3.0 Board Methodology

### Review Process

When reviewing an application, the Board has at its disposal two approaches, a paper review process or a public hearing. After the publication of the Notice of Application, the Board considers the application and responses, if any, and determines which method of review is most appropriate. Whenever reasonable, the Board can review the application using a paper review process, which saves the cost of a public hearing.

Where there is an urgent need for initial or revised rates and the Board determines it to be in the best interest of all parties, the Board may establish interim *ex parte* rates.

### Interim *ex parte* Approval

Interim *ex parte* rates are typically approved as applied for and are then subject to a standard Board review process, including a Public Notice of Application, before being confirmed as final by Board Order.

Since this process allows a municipality to charge ratepayers revised rates in advance of the Board's comprehensive review, it is reserved for instances where a municipality can show a compelling argument to allow it.

### Contingency Allowance and Utility Reserves

The Board's Water and Wastewater Rate Application Guidelines recommend an annual contingency allowance equal to 10% of the variable operating costs.

## **Working Capital**

Board Order No. 93/09 established utilities should maintain a minimum working capital surplus, in an amount equal to 20% of annual expenses. The working capital surplus is the Utility fund balance, excluding any capital-related items plus Utility reserves.

## **Operating Deficits**

By law, Manitoba utilities are not allowed to incur deficits. In the event that a deficit does occur, the Utility is required by *The Municipal Act* to obtain Board approval for both the deficit and recovery methodology. The Board is therefore duty bound to approve reasonable rates based on reasonable expense projections.

## **Cost Allocation Methodology**

The Board requires all municipalities to review the costs shared between the general operations of the Rural Municipality and the Utility, and to allocate appropriate and reasonable costs to the Utility, based on a policy known as a Cost Allocation Methodology. This policy must be submitted to the Board for approval and cannot be changed without approval by the Board. The Board's requirements regarding cost allocation methodologies can be found in Board Order No. 93/09.

## **Unaccounted for Water**

Water losses may be caused by such events as distribution line losses, service leaks, water used for fire fighting or line flushing, and under-registration of water meters. The Board Guidelines require utilities to compare the volume of water produced or purchased against the volume of water sold, to determine the percentage of unaccounted for water. Unaccounted for water volumes of approximately 10% are considered industry standard.

The Board expects any utility experiencing a greater volume of unaccounted for water to provide an explanation and plan to address the water losses.

## 4.0 Application

On January 25, 2019, the Board received an application for revised rates from the Utility. The application was accompanied by a rate study completed by the RM's consultant and By-Law 5-2019 read for the first time on January 22, 2019. The application also included Council Resolution #52/19 requesting that the Board approve utility deficits for 2015 to 2019.

The RM requested that the Board approve the requested Utility rates on an interim *ex parte* basis. The Board issued Board Order No. 44/19 approving interim *ex parte* rates.

The RM states the revised rates are required to provide contingency funding, to recover operating deficits and to offset the net revenue from new debenture debt collected through taxes.

The Board issued a Public Notice of Application with respect to the proposed rate increases on April 29, 2019 allowing for stakeholder questions or comments on or before May 29, 2019. No responses were received.



The rates were calculated using revenue requirement projections and inflation of 2%.

	2018	2019	2020	2021	2022
Administration	10,000	10,200	10,814	11,031	11,251
Working capital contribution					1,651
Training	3,000	3,060	3,121	3,184	3,247
<b>Total expenses general</b>	<b>13,000</b>	<b>13,260</b>	<b>13,935</b>	<b>14,215</b>	<b>16,149</b>
Penalties	900	918	936	955	974
<b>Total revenue general</b>	<b>900</b>	<b>918</b>	<b>936</b>	<b>955</b>	<b>974</b>
<b>Net revenue requirement - general</b>	<b>12,100</b>	<b>12,342</b>	<b>12,999</b>	<b>13,260</b>	<b>15,175</b>
Water Purchases	62,000	52,000	52,000	53,040	54,101
Transmission and Distribution	9,000	9,180	9,364	9,551	9,742
Operator Wages	35,000	35,700	36,414	37,142	37,885
Service of Supply	12,850	13,107	13,369	13,637	13,909
Contingency					8,441
Amortization	38,481	27,212	22,817	22,817	22,817
Interest on long term debt	0	0	12,710	12,098	11,459
<b>Total expenses water</b>	<b>157,331</b>	<b>137,199</b>	<b>146,674</b>	<b>148,285</b>	<b>158,354</b>
Hydrant Rentals	2,180	2,700	2,700	2,700	2,700
Taxation revenue					26,299
MWSB; Salary Reimbursement	20,187	20,591	21,002	21,422	21,851
Bulk Water Fees	4,000	5,675	6,675	6,675	6,675
<b>Total revenue water</b>	<b>26,367</b>	<b>28,966</b>	<b>30,377</b>	<b>30,797</b>	<b>57,525</b>
<b>Net revenue requirement - water</b>	<b>130,964</b>	<b>108,233</b>	<b>116,297</b>	<b>117,488</b>	<b>100,829</b>
Collection System	7,000	7,140	7,283	7,428	7,577
Treatment and Disposal	1,640	1,673	1,706	1,740	1,775
Lift Station	5,750	5,865	5,982	6,102	6,224
Contingency					1,531
Amortization	17,626	17,626	17,626	17,626	17,626
<b>Total expenses sewer</b>	<b>32,016</b>	<b>32,304</b>	<b>32,597</b>	<b>32,896</b>	<b>34,733</b>
Lagoon Tipping Fees	250	255	260	265	271
<b>Total revenue sewer</b>	<b>250</b>	<b>255</b>	<b>260</b>	<b>265</b>	<b>271</b>
<b>Net revenue requirement - sewer</b>	<b>31,766</b>	<b>32,049</b>	<b>32,337</b>	<b>32,631</b>	<b>34,462</b>

The RM's consultant calculated the indicated rates for 2022, the final rate year projected, and then calculated a stable and predictable rate change year over year.

## Contingency Allowance and Utility Reserves

The RM has included in the 2022 projections a contingency allowance of 10% of net rate requirements, less amortization expenses. This equates to \$8,441 for water and \$1,531 for wastewater. There is no provision for transfer to Utility Reserve proposed.

## Working Capital

As per the 2017 audited financial statements, the working capital surplus at December 31, 2017 was:

	2017
Accumulated Fund Surplus/Deficit	\$731,581
Deduct tangible capital assets	(\$657,722)
Add long term debt	\$0
Add utility reserves	\$34,474
<b>Equals Working Capital Surplus/Deficit</b>	<b>\$108,333</b>
Operating costs	\$236,399
<b>20% of operating costs (target)</b>	<b>\$47,280</b>

## Operating Deficits

The RM's application included a request that the Board grant approval of actual operating deficits as shown below, to be recovered from the Utility's accumulated surplus:

Year	Deficit
2015	\$40,699
2016	\$49,330
2017	\$49,016
2018	\$59,830
2019	\$35,598
<b>Total</b>	<b>\$234,473</b>

The Utility's working capital position is forecast to be in a surplus position up to and including 2022 and is sufficient to provide for the recovery of the applied for actual operating deficits as well as the anticipated deficits for 2018 and 2019. The Board approved the deficits and recovery methodology in Board Order No. 44/19.

## Cost Allocation Methodology

The RM submitted the following CAM for the Board's approval:

<b>Rural Municipality of Yellowhead; Strathclair Utility Allocation Plan for Non-Direct Shared services</b>		
<b>January, 2019</b>		
Category	Sub-category	Options
1.0	Administrative Staff	2.0% of General Legislative expenses excluding Assessment & Grant expenses
	1.1 Billing services – meter reading to receipting and collection.	Meter reading – N/A; receipting and collection part of Admin staff allocation
	1.2 Accounting/ auditing/ including bylaw making and enforcement.	2.0% of audit costs
	1.3 Common office space	2.0% of office costs, utilities
	1.4 Office overheads (telephone, photocopier, computer, etc)	2.0% of PP&S
2.0	Operating, construction and maintenance costs	
	2.1 Vehicle – fuel, maintenance, lease costs, capital costs	Operating costs for one ½ ton truck, including fuel, is split between Strathclair and Shoal Lake Utilities
	2.2 Labour – full time, part time, on call, sick time, vacation, Note 2	Utility operator time is tracked and charged to the Utility.
	2.3 Public works building and property.	There is no charge to the Utility for the Public Works Building use
	2.4 Road repairs and alike (Note 3)	Based on actual costs
3.0	Major projects	
	Interest/ financing	N/A
	Labour	Based on actual costs
	External costs	Direct charge (dedicated consulting)

Note 1: Allocation must be updated periodically to reflect the impacts of inflation.

Note 2: Including salaries and benefits.

Note 3: If a project involves work benefitting both the utility and general operations, the costs may be shared e.g. re-constructing a road and replacing services at the same time – a portion of the road work may be allocated to the utility.

## Unaccounted for Water

The Utility indicated the 2017 unaccounted for water was 0% of water purchased.

## 5.0 Board Findings

The Board has reviewed the application and revenue projections presented by the RM and finds the projections to be reasonable. The Board finds the RM's request to phase in the rate increases over a three year period to be acceptable, due to the Utility's ability to absorb the expected deficits by way of the current Working Capital Surplus.

The Board has reviewed this application and has chosen a paper review process.

The Board supports the principle of user-pay utility rates. It is only when rates are set on a user pay basis that the correct price signal is sent to ratepayers and allows ratepayers to make decisions about their use of the services.

Appropriate rates allow for the full appreciation of the true value of services provided and enable the Utility to better meet the objectives of *The Sustainable Development Act*.

The Board is concerned with the lengthy history of operating deficits. The increases required can be considered rate shock, something that is common where rate requirements are not addressed for significant periods of time. In the case of the Utility, it has been more than 12 years since the last rate application was submitted. Consumers are generally more tolerant of regular, smaller increases. The RM needs to be more diligent in conducting regular reviews of its revenue requirements.

The Board reminds the RM regular reviews are important for a financially sound utility and encourages the RM to review Board Order No. 86/17 for future rate applications. The Order outlines the Simplified Rate Application Process for municipally owned public utilities. If, after its rate review, the RM finds it meets the designated criteria for a simplified rate application, it should apply for future rates using the Simplified Rate Application Process.

## 6.0 IT IS THEREFORE ORDERED THAT:

1. The water and wastewater rates for the Rural Municipality of Yellowhead – Strathclair Water and Wastewater Utility, as approved on an interim *ex parte* basis in Board Order No 44/19, BE AND ARE HEREBY APPROVED AS FINAL.
2. The Cost Allocation Methodology for shared services for the Strathclair Water and Wastewater Utility, as submitted by the Rural Municipality of Yellowhead BE AND IS HEREBY APPROVED.
3. The Rural Municipality of Yellowhead review the Strathclair Water and Wastewater Utility water rates for adequacy and file a report with the Public Utilities Board, as well as an application for revised rates (if applicable), on or before September 30, 2022.

Fees payable upon this Order - \$500.00

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](http://www.pubmanitoba.ca).

THE PUBLIC UTILITIES BOARD

"Carol Hainsworth, C.B.A."  
Panel Chair

"Jennifer Dubois, CPA, CMA"  
Assistant Associate Secretary

Certified a true copy of Order No. 17/20  
issued by The Public Utilities Board

  
Assistant Associate Secretary

**RURAL MUNICIPALITY OF YELLOWHEAD  
STRATHCLAIR UTILITY  
WATER & SEWER UTILITY RATES BY-LAW NO.5-2019  
SCHEDULE "A"  
SCHEDULE OF QUARTERLY RATES**

1. Schedule of Commodity Rates & Quarterly Service Charge

**July 1, 2019**

Rates per 1,000 Gallons

1,000 Gallons per quarter

Water	Sewer	Water & Sewer
\$20.73	\$5.93	\$26.66

Quarterly Service Charge \$20.07

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

**a) Water & Sewer Customers**

Meter Size	Water Included	Customer Service Gallons	Water Commodity Charge	Sewer Commodity Charge	Water & Sewer Commodity Charge	Total Quarterly Minimum
5/8 inch	3,000	\$20.07	\$62.19	\$17.79	\$100.05	
3/4 inch	6,000	\$20.07	\$124.38	\$35.58	\$180.03	
1 inch	12,000	\$20.07	\$248.76	\$71.16	\$339.99	
1 ½ inch	30,000	\$20.07	\$621.90	\$177.90	\$819.87	
2 inch	75,000	\$20.07	\$1,554.75	\$444.75	\$2,019.57	

**b) Water Only Customers**

The minimum charge will be the same for each meter size as shown above but the Sewer Commodity Charge will be excluded.

**c) Sewer Only for Residential Customers**

The sewer only charge is based on average quarterly consumption of 5,000 gallons plus the quarterly customer service charge.

The quarterly charge for sewer only customers is  $(5 * \$5.93) + \$20.07 = \$49.72$

3. Bulk Water

All water sold in bulk shall be charged for at a rate of \$24.00 per 1,000 gallons.

1. Schedule of Commodity Rates & July 1, 2020

Quarterly Service Charge

Rates per 1,000 Gallons	<u>1,000 Gallons per quarter</u>		
	Water	Sewer	Water & Sewer
	\$22.27	\$7.00	\$29.27
Quarterly Service Charge	\$20.18		

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

a) **Water & Sewer Customers**

<u>Meter Size</u>	<u>Water Included</u>	<u>Customer Service Gallons</u>	<u>Water Commodity Charge</u>	<u>Sewer Commodity Charge</u>	<u>Water &amp; Sewer Commodity Charge</u>	<u>Total Quarterly Minimum</u>
5/8 inch	3,000	\$20.18	\$66.81	\$21.00	\$107.99	
3/4 inch	6,000	\$20.18	\$133.62	\$42.00	\$195.80	
1 inch	12,000	\$20.18	\$267.24	\$84.00	\$371.42	
1 ½ inch	30,000	\$20.18	\$668.10	\$210.00	\$898.28	
2 inch	75,000	\$20.18	\$1,670.25	\$525.00	\$2,215.43	

b) **Water Only Customers**

The minimum charge will be the same for each meter size as shown above but the Sewer Commodity Charge will be excluded.



**c) Sewer Only for Residential Customers**

The sewer only charge is based on average quarterly consumption of 5,000 gallons plus the quarterly customer service charge.

The quarterly charge for sewer only customers is  $(5 * \$7.00) + \$20.18 = \$55.18$

3. Bulk Water

All water sold in bulk shall be charged for at a rate of \$32.00 per 1,000 gallons.

1. Schedule of Commodity Rates & Quarterly Service Charge

**July 1, 2021**

Rates per 1,000 Gallons

1,000 Gallons per quarter

	Water	Sewer	Water & Sewer
	\$23.80	\$8.06	\$31.86

Quarterly Service Charge \$20.29

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

**a) Water & Sewer Customers**

Meter Size	Water Included	Customer Service Gallons	Water Commodity Charge	Sewer Commodity Charge	Water & Sewer Commodity Charge	Total Quarterly Minimum
5/8 inch	3,000	\$20.29	\$71.40	\$24.18	\$115.87	
3/4 inch	6,000	\$20.29	\$142.80	\$48.36	\$211.45	
1 inch	12,000	\$20.29	\$285.60	\$96.72	\$402.61	
1 ½ inch	30,000	\$20.29	\$714.00	\$241.80	\$976.09	
2 inch	75,000	\$20.29	\$1,785.00	\$604.50	\$2,409.79	

**b) Water Only Customers**

The minimum charge will be the same for each meter size as shown above but the Sewer Commodity Charge will be excluded.

**c) Sewer Only for Residential Customers**

The sewer only charge is based on average quarterly consumption of 5,000 gallons plus the quarterly customer service charge.

The quarterly charge for sewer only customers is  $(5 * \$8.06) + \$20.29 = \$60.59$

**3. Bulk Water**

All water sold in bulk shall be charged for at a rate of \$33.00 per 1,000 gallons.

**The following clauses take effect July 1, 2019:****4. Billings and Penalties**

Accounts shall be billed quarterly based on water used and are payable within 30 days of the billing date. A late payment penalty charge of 1 ¼% compounded monthly shall be charged on the dollar amount owing after the billing due date.

**5. Disconnection**

The Public Utilities Board has approved the Conditions Precedent to be followed by the Municipality with respect to 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 Municipality's office.

**6. Reconnection**

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$25.00 have been paid. Water turned on or off at the request of the customer shall be charged a fee of \$25.00 for each turn on or turn off.

7. Liability for Charges

Pursuant to Section 252 (2) of the Municipal Act, the amount of all outstanding charges for water and sewer services, including fines and penalties, are a lien and charge upon the land serviced, and may be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.

The fee to add outstanding water and sewer charges to the property tax roll shall be \$10.00 per account.

8. Rental Properties

Owners of rental properties shall be required to pay the utility charges for their properties.

9. Hydrant Charges

The Rural Municipality of Yellowhead shall pay to the Utility an annual hydrant charge of \$100 for each hydrant connected to the Strathclair Utility. This will include the cost of water used for fire fighting.

10. Water Allowance Due to Line Freezing

That in any case where, at the request of 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.

11. Lagoon Dumping Fee

The Lagoon dumping fee is set at \$25.00 per truck or \$250.00 per year.

12. New Connections

Customers requiring new hook up to the water and sewer main lines will be responsible for the whole cost of installation right up to the main lines including the

purchase of a water meter from the Municipality. This work must be done under the supervision of the Water Plant Operator. The customer will be responsible for the cost of maintenance of the line from the dwelling to the property line. The Utility will be responsible for the cost of maintenance from the property line to the main line.

13. Service To Customers Outside Utility's Limits

The Council of Rural Municipality of Yellowhead may sign Agreements with customers for the provision of water and sewer services to properties located outside the boundaries of the Municipality. Such Agreements shall provide for payment of the appropriate rates set out in this 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 the 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 the Municipality's boundaries. In addition, all costs of connecting to the Utility's mains, and installing and maintaining service connections, will be paid by the customer.

14. Sewer Surcharges

- a) There may be levied annually, in addition to the rates set forth above, a special surcharge on sewage having a Biochemical Oxygen Demand in excess of 300 parts per million, to be set by Resolution of Council.
- b) A special surcharge for substances requiring special treatment shall be charged based on the actual costs of treatment required for the particular sewage or industrial waste.

15. Meter Testing

That in any case where a utility customer requests that a meter be tested for accuracy, the customer will provide the Municipality with a deposit of \$100. The Municipality will then remove the subject meter and send it to an independent lab for testing. If the meter is found to be faulty, all costs associated with the testing

process will be borne by the Municipality and the deposit will be refunded to the customer and the customer's account will be adjusted for the preceding four (4) months. If the meter is found to be in proper working order, all costs associated with the testing process will be borne by the customer and the customer will be billed or refunded any balance owing.

16. Meter Tampering

Where there is evidence of meter tampering a minimum charge of \$500 will be applied to the customer's account in addition to an amount calculated to adjust for the tampering based on historical usage.

17. Cross Connections

No customer or person shall connect, cause to be connected or allow to remain connected any piping, fixture, fitting, container or appliance in a manner which under any circumstances may allow water, wastewater or any harmful liquid or substance to enter the Municipality's water system.

If a condition is found to exist which, in the opinion of the Municipality, is contrary to the aforesaid, the Municipality may either:

Shut off the service or services; or

Give notice to the customer to correct the fault at his or her own expense within a specified time period.

18. Conditions of Disrepair

In the event that there are conditions of disrepair in the sewer and water works on a property that detrimentally affects the system as a whole and, upon the failure of the owner of the property to correct the condition within a reasonable time, the Municipality, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.

19. Authorization For Officer To Enter Upon Premises

The Public Works Manager, or other employee authorized by the Municipality in the absence of the Public Works Manager, shall be authorized to enter upon any premise for the purpose of:

Affixing to any pipe, wire or apparatus connected with any such utility, a meter or any other measuring or testing device; or taking readings from, repairing, inspecting or removing any meter or apparatus belonging to the Municipality.