

Order No. 119/21

**RURAL MUNICIPALITY OF WALLACE-WOODWORTH
WALLACE-WOODWORTH WATER AND WASTEWATER UTILITY
INTERIM *EX PARTE* LAGOON TIPPING FEE**

October 27, 2021

**BEFORE: Marilyn Kapitany, B.Sc. (Hon), M.Sc., Panel Chair
Mike Watson, Member**

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1.0 Executive Summary

By this Order, the Public Utilities Board (Board) approves, on an interim *ex parte* basis, lagoon tipping fees of \$30.00 per load as applied for by the Rural Municipality Wallace-Woodworth (RM), Wallace-Woodworth Water and Wastewater Utility (Utility), but varies the effective date to November 1, 2021.

Rationale for the Board's decisions may be found under the Board Findings section below.

2.0 Background

The RM last had rates approved on June 17, 2019 in Board Order No. 81/19. At that time, the Board also approved the amalgamation of the former Kenton Water and Wastewater Utility, Rural Pipeline Water Utility, and the Wallace Water Utility.

The RM advised the Board regarding an omission from Schedule A of By-Law No. 04-2018 that should have included a lagoon tipping fee of \$30.00 per load at the time of amalgamation. The lagoon tipping fee was previously approved by the Board Order No. 91/14 for the now amalgamated Kenton Water and Wastewater Utility and was missed as an oversight by the RM.

3.0 Application

On August 26, 2021, the RM applied to the Board for interim, *ex parte* lagoon tipping fees, to be effective July 1, 2021. The RM also submitted Council Resolution #21/281 and By-Law No. 06-2021, having had first reading on August 10, 2021, to add a clause to By-Law No. 04-2018 that includes a lagoon tipping fee of \$30.00 per load.

The requested rates are the same as those approved for the Kenton Water and Wastewater Utility, as noted above, prior to amalgamation. The RM advised the Board in its application, a review of the lagoon tipping fee will be included in its next rate study due December 31, 2022 as ordered by the Board in Board Order 81/19.

4.0 Board Findings

The Board has reviewed the RM's application and notes the omission of the requested \$30.00 from Schedule A of By-Law No. 04-2018. The Board assumes this was an oversight by the RM and reminds the RM that only rates approved by the Board may be charged to ratepayers.

The Board therefore approves on interim, *ex parte* basis the lagoon tipping fee as applied for by the RM and varies the effective date to November 1, 2021.

The Board notes that in some cases the Board can establish interim rates, which are rates that are subject to review following a more complete process, such as a rate application. When setting initial rates, the Board will often approve interim rates. These are then confirmed as final once there is sufficient information to provide accurate projections for rate setting purposes. In this case, the Board notes the RM has advised the Utility will include a full review/analysis of the lagoon tipping fee in its next rate study due December 22, 2021 ordered by the Board in Board Order 81/19.

The Board reminds the RM, in Board Order No. 81/19 it directed the RM to review its water and wastewater rates for the Wallace-Woodworth Water and Wastewater Utility for adequacy and file a report with the Board or submit an application for revised rates by no later than December 31, 2022. The Board directs the RM to include lagoon tipping fees in its review accordingly and in the RM's next full rate application and future applications to the Board.

The Board has not received the RM's 2020 Audited Financial Statements and reminds the RM audited financial statements are to be reported to the Board no later than June 30 of the following year.

5.0 IT IS THEREFORE ORDERED THAT:

1. The lagoon tipping fee of \$30.00 per load for the Rural Municipality of Wallace-Woodworth, Wallace-Woodworth Water and Wastewater Utility, BE AND IS HEREBY APPROVED on an interim *ex parte* basis in accordance with the attached Schedule A, effective November 1, 2021.
2. The Rural Municipality of Wallace-Woodworth review its water and wastewater rates for the Wallace Woodworth Water and Wastewater Utility and file a report with the Public Utilities Board and/or submit an application for revised rates by no later than December 31, 2022.
3. The Rural Municipality of Wallace-Woodworth submit its 2020 Audited Financial Statements as soon as possible.

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.

Fees payable upon this Order - \$150.00

THE PUBLIC UTILITIES BOARD

"Marilyn Kapitany"

Panel Chair

"Frederick Mykytyshyn"

Assistant Associate Secretary

Certified a true copy of Order No. 119/21 issued
by The Public Utilities Board



Assistant Associate Secretary

SCHEDULE A

**RURAL MUNICIPALITY OF WALLACE-WOODWORTH
WALLACE WOODWORTH WATER AND WASTEWATER UTILITY
LAGOON TIPPING FEE
BY-LAW NO. 04-2018**

Effective November 1, 2021

Lagoon Tipping Fees per load (during regular hours) will be charged at the rate of \$30.00 per load.