



Docket UW23307

Order UW13-04

IN THE MATTER of an application by the
Victoria Water and Sewage Commission for
approval to increase its sewer and water rates
and charges.

BEFORE THE COMMISSION

on Thursday, the 14th day of March, 2013.

Maurice Rodgers, Chair
Allan Rankin, Vice-Chair
Leonard Gallant, Commissioner

Order

Compared and Certified a True Copy

(Sgd) *Heather Walker*

Technical and Regulatory Services

IN THE MATTER of an application by the
Victoria Water and Sewage Commission for
approval to increase its sewer and water rates
and charges.

Order

WHEREAS the Victoria Water and Sewage Commission (the “Utility”) by application filed on November 30, 2012, applied to the Commission for an amendment to its sewer and water rate tariffs;

AND WHEREAS, specifically, the Utility requested approval to increase its current water rate of \$140.00 per unit, per year, to \$210.00 per unit, per year, and its current interim sewer rate of \$375.00 per unit, per year, to \$390.00 per unit, per year, effective January 1, 2013;

AND WHEREAS in addition to the proposed flat rate increases, the Utility requested approval to introduce a service availability charge applicable to vacant properties in Victoria having available services;

AND WHEREAS the Utility proposed a rate of \$105.00 per year for each undeveloped property with available water service and \$195.00 per year for each undeveloped property having available sewer service;

AND WHEREAS following receipt of the application, the Commission published a Notice in the local newspaper inviting written comments on the Utility’s rate filing;

AND WHEREAS the Commission did not receive any written submissions in response to its public Notice;

AND WHEREAS the Commission, following a thorough review of the application and the Utility’s financial statements, has concluded that higher operating expenditures have increased the Utility’s overall water and sewer expenditure levels and result in the need for additional revenues;

AND WHEREAS the Commission, as part of its review of the application, considers that, in addition to the flat rate increases proposed by the Utility, the introduction of a service availability charge for both services is necessary as well;

AND WHEREAS the Commission considers that an annual water rate of \$210.00 per unit and an annual water service availability rate of \$105.00; and that an annual sewer rate of \$390.00 per unit and an annual sewer service availability rate of \$195.00, effective with services provided on and after January 1, 2013, are necessary and equitable;

AND WHEREAS the Commission also considers that the unique aspects of Victoria's sewer treatment plant require the current *Prince Edward Island Municipal Water and Sewerage Utilities General Rules & Regulations* be adapted to reflect the Utility's distinct operations and a specific set of Rules & Regulations for Victoria are necessary;

NOW THEREFORE, pursuant to the *Island Regulatory and Appeals Commission Act* and the *Water and Sewerage Act*;

IT IS ORDERED THAT

1. The existing sewer and water Tariffs of the Victoria Water and Sewage Commission are revoked and the Tariffs appended to, and forming part of, this Order, are substituted therefor;
2. The existing Prince Edward Island Municipal Water & Sewerage Utilities General Rules and Regulations, approved by the Commission, pursuant to section 16 of this *Act*, are hereby substituted by the Victoria Water and Sewage Commission Sewerage and Water General Rules and Regulations appended to, and forming part of, this Order; and
3. The appended Tariffs and Rules and Regulations are approved and declared effective on January 1, 2013 and shall remain in effect until otherwise ordered by the Commission.

DATED at Charlottetown, Prince Edward Island, this 14th day of
March, 2013.

BY THE COMMISSION:

(Sgd) Maurice Rodgerson

Maurice Rodgerson, Chair

(Sgd) Allan Rankin

Allan Rankin, Vice-Chair

(Sgd) Leonard Gallant

Leonard Gallant, Commissioner

NOTICE

Section 12 of the *Island Regulatory and Appeals Commission Act* reads as follows:

12. The Commission may, in its absolute discretion, review, rescind or vary any order or decision made by it, or rehear any application before deciding it.

Parties to this proceeding seeking a review of the Commission's decision or order in this matter may do so by filing with the Commission, at the earliest date, a written Request for Review, which clearly states the reasons for the review and the nature of the relief sought.

Sections 13.(1), 13(2), 13(3), and 13(4) of the *Act* provide as follows:

13.(1) An appeal lies from a decision or order of the Commission to the Court of Appeal upon a question of law or jurisdiction.

(2) The appeal shall be made by filing a notice of appeal in the Court of Appeal within twenty days after the decision or order appealed from and the rules of court respecting appeals apply with the necessary changes.

(3) The Commission shall be deemed to be a party to the appeal.

(4) No costs shall be payable by any party to an appeal under this section unless the Court of Appeal, in its discretion, for special reasons, so orders.

IRAC140A(04/07)

NOTE: In accordance with IRAC's *Records Retention and Disposition Schedule*, the material contained in the official file regarding this matter will be retained by the Commission for a period of 5 years.