



Docket UW05305
Order UW20-01

IN THE MATTER of the *Water
and Sewerage Act*, R.S.P.E.I. 1988, Cap W-2 and
the *Island Regulatory and Appeals Commission
Act*, R.S.P.E.I. 1988, Cap. I-11;

AND IN THE MATTER
of an application by the O'Leary Sewage Collection
and Treatment Corporation for approval to
increase annual sewer rates and charges.

BEFORE THE COMMISSION
on Wednesday, the 7th day of October, 2020

J. Scott MacKenzie, QC, Chair
M. Douglas Clow, Vice-Chair
Erin T. Mitchell, Commissioner

Order

Compared and Certified a True Copy
(Sgd) *Heather Walker*
Regulatory Services

IN THE MATTER of the *Water*
and Sewerage Act, R.S.P.E.I. 1988, Cap W-2 and
the *Island Regulatory and Appeals Commission*
Act, R.S.P.E.I. 1988, Cap. I-11;

AND IN THE MATTER
of an application by the O'Leary Sewage Collection
and Treatment Corporation for approval to increase
annual sewer rates and charges.

Order

WHEREAS the O'Leary Sewage Collection and
Treatment Corporation (the "Utility" or "O'Leary") filed an
application with the Island Regulatory and Appeals Commission
(the "Commission") for approval to increase annual sewer rates
and charges;

AND WHEREAS the Commission published a
Notice in the local newspaper outlining the Utility's proposal and
inviting feedback from ratepayers;

AND WHEREAS in response to the Notice of
Application, two comments were received;

AND WHEREAS the Commission conducted a
review of O'Leary's application and financial projections,
including consideration of the written feedback received from
ratepayers;

AND WHEREAS the Commission has concluded
that increased revenues are needed to offset recent treatment
plant upgrade expenses, as well as costs for future planned
improvements needed;

AND WHEREAS it appears to the Commission
that the tariff of sewer rates and charges approved herein is
necessary and equitable;

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

IT IS ORDERED THAT

1. The sewer rate tariff of the O'Leary Sewage Collection and Treatment Corporation, as set out in Schedule 1, annexed hereto and forming part of this Order, is approved and declared effective as of April 1, 2020, and shall remain in effect until otherwise ordered by the Commission.

DATED at Charlottetown, Prince Edward Island, this 7th day of October, 2020.

BY THE COMMISSION:

(Sgd) J. Scott MacKenzie

J. Scott MacKenzie, QC, Chair

(Sgd) M. Douglas Clow

M. Douglas Clow, Vice-Chair

(Sgd) Erin T. Mitchell

Erin T. Mitchell, 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.

IRAC140B(99/2)

Schedule 1

SEWER RATE TARIFF

O'Leary Sewage Collection and Treatment Corporation

Effective: April 1, 2020

This rate tariff is issued pursuant to Commission Order UW20-01 and specifies the rates and charges applicable to sanitary sewer services provided by the **O'LEARY SEWAGE COLLECTION AND TREATMENT CORPORATION**.

Rules and regulations governing the types of services and manner in which such services are provided are contained in **THE PRINCE EDWARD ISLAND MUNICIPAL SEWERAGE UTILITIES GENERAL RULES AND REGULATIONS**.

Sewer Rates & Charges

Application:

Rates and charges apply to sewerage services provided to all premises served, or capable of being served, by the O'Leary Sewage Collection and Treatment Corporation.

Flat Rate:

The single dwelling unit charge is \$280.00 per year. Relative unit costs for other services are approved in accordance with the *Proportionate Sewer Charges* on page 3 of this tariff.

O'Leary Sewer Tariff

Effective: April 1, 2020

Sewer Rates & Charges - Continued

Frontage Charge:

Vacant Land – A frontage charge of **\$1.40 per lineal foot, per year**, applies to all land adjacent to streets, roads or highways on which there are no buildings or structures but which land is capable of being served by the sewerage Utility.

Developed Land – A frontage charge of **\$1.40 per lineal foot, per year**, applies to all land adjacent to streets, roads or highways which has been developed with a building or structure and is capable of being served by the sewerage Utility, **LESS an exemption of ten (10) feet of frontage for each one-tenth of a unit billed** under the *Proportionate Sewer Charges* on page 3 of this tariff.

Corner Lots – In the case of corner lots with sewerage facilities on both sides, a frontage charge of **\$1.40 per lineal foot, per year**, applies to the full frontage on the longest side, and the full frontage less one hundred (100) feet on the other side, **LESS any allowable exemption for developed land**.

Commercial/Industrial Rates:

The following metered rates and charges apply to large commercial or industrial customers:

Monthly Demand or Service Charge	Commodity or Consumption Charge
\$9.00	\$1.00 per 1,000 gallons or \$0.22 per cubic metre

Surcharge Suspended Solids:

For any liquid matter discharged which contains suspended solids exceeding three hundred and fifty (350) parts per million (mg/l), the commodity or consumption charge will increase as follows:

PPM	Sewer Charge Increase
350 – 450	20%
451 – 550	40%
551 – 650	60%
651 – 750	80%
Over 750	100%

[illegible]