

Prince Edward Island Île-du-Prince-Édouard CANADA

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

$\overline{WHEREAS}$ 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
(O. I) Fig. T. Miled all
(Sgd) Erin T. Mitchell
Frin 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.

Approved: Island Regulatory & Appeals Commission Page 1 UW05305/Order UW20-01

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		
	\$1.00 per 1,000 gallons		
\$9.00	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%		

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O'Leary Sewer Tariff				Lifective. F	April 1, 2020
Propo	rtic	nate	Sewer Charge	es	
		ANNUAL			ANNUAL
	UNIT	SEWER		UNIT	SEWER
TYPE OF CUSTOMER	VALUE	CHARGE	TYPE OF CUSTOMER	VALUE	CHARGE
SINGLE-FAMILY DWELLING	1.00	\$280.00	DOCTORS' & DENTISTS' OFFICES		
SINGLE TAMILET DWELLING	1.00	\$200.00	AND BEAUTY & BARBER SHOPS		
INDIVIDUAL APARTMENT	0.80	\$224.00	With Separate Service	1.00	\$280.0
			Combined With Other Service	0.50	\$140.0
MOBILE HOME	0.70	\$196.00			
			LAUNDROMAT WITH MACHINES US	ING	
SENIOR CITIZENS HOME, Per Unit	0.60	\$168.00	OVER 30 GALLONS PER WASH		
			For First Machine	3.00	\$840.0
CONVENT, INSTITUTIONAL			For Second Machine	2.00	\$560.0
DORMITORY, ROOMING OR			For Each Additional Machine	1.00	\$280.0
BOARDING HOUSE					
For Up to Five Persons	1.00	\$280.00	LAUNDROMAT WITH MACHINES US	ING	
For Each Additional Person	0.20	\$56.00	30 OR FEWER GALLONS PER WASH		
			For First Machine	2.00	\$560.0
MOTELS AND TOURIST COTTAGES			For Second Machine	1.50	\$420.0
With Housekeeping Facilities,			For Each Additional Machine	0.75	\$210.0
Each Unit	0.50	\$140.00			
With Bathroom Facilities Only,			SERVICE STATION		
Each Unit	0.30	\$84.00	Without Carwash	1.00	\$280.0
			With Carwash	2.00	\$560.0
TOURIST HOME					
For First Bathroom	1.00	\$280.00	RESTAURANTS AND SNACK BARS	1.00	\$280.0
For Each Additional Bathroom			For Each Ten Seats an		
or Washroom	0.30	\$84.00	Additional Amount of	0.25	\$70.0
HOSPITAL			PREMISES LICENSED BY THE P.E.I.		
Without Laundry Facilities,			LIQUOR CONTROL COMMISSION:		
Per Bed	0.50	\$140.00	Restaurant, Lounge, Dining		
With Laundry Facilities,			Room or Club	1.00	\$280.0
Per Bed	0.75	\$210.00	SEAT CHARGE: Calculate 75% of		
			Fire Marshal's rating OR		
SCHOOLS, Per Classroom	1.00	\$280.00	the actual seat count,		
			then charge, for each five seats,		
STORES, BANKS, CLUBS, CHURCHE	1		an additional amount of	0.25	\$70.0
HALLS, RECREATIONAL FACILITIES					
AND PLACES OF BUSINESS			DRIVE-IN RESTAURANT OR THEAT		
For First Washroom Facility	1.00	\$280.00	With Canteen	1.00	\$280.0
For Each Additional Toilet or			For First Washroom and Toilet		
Urinal	0.50	\$140.00	Facility	1.00	\$280.0
CAMPGROUNDS, Per Campsite	0.10	\$28.00	For Each Additional Washroom and Toilet Facility	0.50	\$140.0
c. c	3.10	\$20.00	and restricting	3.50	\$1.70.00
Approved: Island Regulatory & Ap	peals Com	mission Pa	age 3 UWC	05305/Ord	er UW20-0