



**THE ISLAND REGULATORY AND
APPEALS COMMISSION**
Prince Edward Island
Île-du-Prince-Édouard
CANADA

Docket UW03305
Order UW09-01

IN THE MATTER of an
application by the Kensington Water and
Pollution Control Corporation for approval to
implement metered water and sewer rates,
effective January 1, 2009.

**BEFORE THE
COMMISSION**

on Wednesday, the 18th day of March, 2009.

Maurice Rodgerson, Chair
Chester MacNeill, Commissioner

Order

Compared and Certified a True Copy

(Sgd) *Mark Lanigan*

Technical and Regulatory Services

IN THE MATTER of an application by the Kensington Water and Pollution Control Corporation for approval to implement metered water and sewer rates, effective January 1, 2009.

Order

WHEREAS, the Kensington Water and Pollution and Control Corporation (the “Utility”), by application filed on October 7, 2008—and further to recommendations put forth in Commission Order UW06-02, issued on April 21, 2006—has applied for approval to implement metered water and sanitary sewer rates and charges, effective January 1, 2009;

AND WHEREAS by notice published in a local newspaper following receipt of the said application, the Commission invited written comments on the Utility’s proposed rates;

AND WHEREAS, the Commission subsequently received four written submissions in response to the public notice;

AND WHEREAS the Commission has considered the submissions of the Utility and the responses to the public notice;

AND WHEREAS the Commission has, based on a thorough analysis of the application, concluded that:

- the implementation of metered rates will result in a fairer allocation of costs among the Utility’s customers;
- expenditures associated with the ongoing operation and maintenance of the water system and sewage treatment facility have increased the Utility’s overall operating costs; and
- the forecast operating expenses of the Utility are reasonable in relation to the services provided;

AND WHEREAS, it appears to the Commission that:

- a reduction of approximately ten percent in the Utility's proposed Tariff of Rates and Charges will generate sufficient revenues to enable the Utility to provide reasonable and adequate service and facilities; and
- the reduced Tariff of Rates and Charges has been determined in accordance with the generally accepted public utility practices and has taken into consideration local conditions and circumstances.

AND WHEREAS, it further appears to the Commission that the Tariffs of Rates and Charges approved herein are necessary and equitable;

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

IT IS ORDERED THAT

1. the existing Tariffs for sewer and water services of the Kensington Water and Pollution Control Corporation are revoked and the Tariffs appended to, and forming part of, this Order are substituted therefore; and
2. the appended Tariffs are approved and declared effective for meter readings taken on and after January 1, 2009 and for bills issued on and after January 1, 2009, and the said Tariffs shall remain in effect until otherwise ordered by the Commission.

DATED at Charlottetown, Prince Edward Island, this 18th day of March, 2009.

BY THE COMMISSION:

(Sgd) *Maurice Rodgeron*

Maurice Rodgeron, Chair

(Sgd) *Chester MacNeill*

Chester MacNeill, 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) and 13(2) of the *Act* provide as follows:

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

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

IRAC140B(2005/1)

Kensington Water and Pollution Control Corporation

WATER TARIFF

THIS TARIFF SPECIFIES THE RATES AND CHARGES APPLICABLE
TO SERVICES PROVIDED BY THE KENSINGTON WATER
AND POLLUTION CONTROL 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 WATER AND SEWERAGE UTILITIES
GENERAL RULES AND REGULATIONS

Effective: January 1, 2009

Water Service Rates & Charges

Application: The following rates and charges apply to water services provided to premises served or capable of being served by the Kensington Water and Pollution Control Corporation.

Unmetered Rates: For each unmetered customer the sum of:

- A. a CUSTOMER charge of \$12.57;
- B. a BASE charge of \$172.93 per proportionate unit calculated in accordance with the BASE Proportionate Charges contained on page 2 of this Tariff; and
- C. a FLOW charge of \$35.50 per proportionate unit calculated in accordance with the FLOW Proportionate Charges contained on page 2 of this Tariff.

Metered Rates: For each metered customer the sum of:

- A. a CUSTOMER charge of \$12.57;
- B. a BASE charge of \$172.93 per proportionate unit calculated in accordance with the BASE Proportionate Charges contained on page 2 of this Tariff; and
- C. a FLOW charge of \$1.22 per thousand gallons.

Minimum Bill: The minimum bill to any customer shall be the applicable CUSTOMER and BASE charges.

Fire Protection Charge: The Utility shall charge the Town of Kensington annually for water system facilities provided for fire protection services, the amount of 25% of the previous year's total water utility expenditures.

Proportionate Water Charges

TYPE OF CUSTOMER	UNIT VALUE	ANNUAL BASE CHARGE	ANNUAL FLOW CHARGE	TYPE OF CUSTOMER	UNIT VALUE	ANNUAL BASE CHARGE	ANNUAL FLOW CHARGE
SINGLE-FAMILY DWELLING	1.00	\$172.93	\$35.50	DOCTORS' & DENTISTS' OFFICES AND BEAUTY & BARBER SHOPS			
INDIVIDUAL APARTMENT	0.80	\$138.34	\$28.40	With Separate Service	1.00	\$172.93	\$35.50
MOBILE HOME	0.70	\$121.05	\$24.85	Combined With Other Service	0.50	\$86.46	\$17.75
SENIOR CITIZENS HOME, Per Unit	0.60	\$103.76	\$21.30	LAUNDROMAT WITH MACHINES USING OVER 30 GALLONS PER WASH			
CONVENT, INSTITUTIONAL DORMITORY, ROOMING OR BOARDING HOUSE				For First Machine	3.00	\$518.78	\$106.49
For Up to Five Persons	1.00	\$172.93	\$35.50	For Second Machine	2.00	\$345.85	\$70.99
For Each Additional Person	0.20	\$34.59	\$7.10	For Each Additional Machine	1.00	\$172.93	\$35.50
MOTELS AND TOURIST COTTAGES				LAUNDROMAT WITH MACHINES USING 30 OR FEWER GALLONS PER WASH			
With Housekeeping Facilities, Each Unit	0.50	\$86.46	\$17.75	For First Machine	2.00	\$345.85	\$70.99
With Bathroom Facilities Only, Each Unit	0.30	\$51.88	\$10.65	For Second Machine	1.50	\$259.39	\$53.24
TOURIST HOME				For Each Additional Machine	0.75	\$129.69	\$26.62
For First Bathroom	1.00	\$172.93	\$35.50	SERVICE STATION			
For Each Additional Bathroom or Washroom	0.30	\$51.88	\$10.65	Without Carwash	1.00	\$172.93	\$35.50
HOSPITAL				With Carwash	2.00	\$345.85	\$70.99
Without Laundry Facilities, Per Bed	0.50	\$86.46	\$17.75	RESTAURANTS AND SNACK BARS	1.00	\$172.93	\$35.50
With Laundry Facilities, Per Bed	0.75	\$129.69	\$26.62	For Each Ten Seats an Additional Amount of	0.25	\$43.23	\$8.87
SCHOOLS, Per Classroom	1.00	\$172.93	\$35.50	PREMISES LICENSED BY THE P.E.I. LIQUOR CONTROL COMMISSION:			
STORES, BANKS, CLUBS, CHURCHES, HALLS, RECREATIONAL FACILITIES AND PLACES OF BUSINESS				Restaurant, Lounge, Dining Room or Club	1.00	\$172.93	\$35.50
For First Washroom Facility	1.00	\$172.93	\$35.50	SEAT CHARGE: Calculate 75% of Fire Marshal's rating OR			
For Each Additional Toilet or Urinal	0.50	\$86.46	\$17.75	the actual seat count, then charge, for each five seats, an additional amount of	0.25	\$43.23	\$8.87
				DRIVE-IN RESTAURANT OR THEATRE			
				With Canteen	1.00	\$172.93	\$35.50
				For First Washroom and Toilet Facility	1.00	\$172.93	\$35.50
				For Each Additional Washroom and Toilet Facility	0.50	\$86.46	\$17.75

Kensington Water and Pollution Control Corporation

SEWER TARIFF

THIS TARIFF SPECIFIES THE RATES AND CHARGES APPLICABLE
TO SERVICES PROVIDED BY THE KENSINGTON WATER
AND POLLUTION CONTROL 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 WATER AND SEWERAGE UTILITIES
GENERAL RULES AND REGULATIONS

Effective: January 1, 2009

Sewer Service Rates & Charges

Application: The following rates and charges apply to sewer services provided to premises served or capable of being served by the Kensington Water and Pollution Control Corporation.

Unmetered Rates: For each unmetered customer the sum of:

- A. a CUSTOMER charge of \$13.10;
- B. a BASE charge of \$220.55 per proportionate unit calculated in accordance with the BASE Proportionate Charges contained on page 2 of this Tariff; and
- C. a FLOW charge of \$71.25 per proportionate unit calculated in accordance with the FLOW Proportionate Charges contained on page 2 of this Tariff.

Metered Rates: For each metered customer the sum of:

- A. a CUSTOMER charge of \$13.10;
- B. a BASE charge of \$220.55 per proportionate unit calculated in accordance with the BASE Proportionate Charges contained on page 2 of this Tariff; and
- C. a FLOW charge of \$2.46 per thousand gallons.

Minimum Bill: The minimum bill to any customer shall be the applicable CUSTOMER and BASE charges.

Proportionate Sewer Charges

TYPE OF CUSTOMER	UNIT VALUE	ANNUAL BASE CHARGE	ANNUAL FLOW CHARGE	TYPE OF CUSTOMER	UNIT VALUE	ANNUAL BASE CHARGE	ANNUAL FLOW CHARGE
SINGLE-FAMILY DWELLING	1.00	\$220.55	\$71.25	DOCTORS' & DENTISTS' OFFICES AND BEAUTY & BARBER SHOPS			
INDIVIDUAL APARTMENT	0.80	\$176.44	\$57.00	With Separate Service	1.00	\$220.55	\$71.25
MOBILE HOME	0.70	\$154.39	\$49.88	Combined With Other Service	0.50	\$110.28	\$35.63
SENIOR CITIZENS HOME, Per Unit	0.60	\$132.33	\$42.75	LAUNDROMAT WITH MACHINES USING OVER 30 GALLONS PER WASH			
CONVENT, INSTITUTIONAL DORMITORY, ROOMING OR BOARDING HOUSE				For First Machine	3.00	\$661.66	\$213.76
For Up to Five Persons	1.00	\$220.55	\$71.25	For Second Machine	2.00	\$441.11	\$142.51
For Each Additional Person	0.20	\$44.11	\$14.25	For Each Additional Machine	1.00	\$220.55	\$71.25
MOTELS AND TOURIST COTTAGES				LAUNDROMAT WITH MACHINES USING 30 OR FEWER GALLONS PER WASH			
With Housekeeping Facilities, Each Unit	0.50	\$110.28	\$35.63	For First Machine	2.00	\$441.11	\$142.51
With Bathroom Facilities Only, Each Unit	0.30	\$66.17	\$21.38	For Second Machine	1.50	\$330.83	\$106.88
TOURIST HOME				For Each Additional Machine	0.75	\$165.42	\$53.44
For First Bathroom	1.00	\$220.55	\$71.25	SERVICE STATION			
For Each Additional Bathroom or Washroom	0.30	\$66.17	\$21.38	Without Carwash	1.00	\$220.55	\$71.25
HOSPITAL				With Carwash	2.00	\$441.11	\$142.51
Without Laundry Facilities, Per Bed	0.50	\$110.28	\$35.63	RESTAURANTS AND SNACK BARS	1.00	\$220.55	\$71.25
With Laundry Facilities, Per Bed	0.75	\$165.42	\$53.44	For Each Ten Seats an Additional Amount of	0.25	\$55.14	\$17.81
SCHOOLS, Per Classroom	1.00	\$220.55	\$71.25	PREMISES LICENSED BY THE P.E.I. LIQUOR CONTROL COMMISSION:			
STORES, BANKS, CLUBS, CHURCHES, HALLS, RECREATIONAL FACILITIES AND PLACES OF BUSINESS				Restaurant, Lounge, Dining Room or Club	1.00	\$220.55	\$71.25
For First Washroom Facility	1.00	\$220.55	\$71.25	SEAT CHARGE: Calculate 75% of Fire Marshal's rating OR the actual seat count, then charge, for each five seats, an additional amount of	0.25	\$55.14	\$17.81
For Each Additional Toilet or Urinal	0.50	\$110.28	\$35.63	DRIVE-IN RESTAURANT OR THEATRE			
				With Canteen	1.00	\$220.55	\$71.25
				For First Washroom and Toilet Facility	1.00	\$220.55	\$71.25
				For Each Additional Washroom and Toilet Facility	0.50	\$110.28	\$35.63