



Docket UW03307
Order UW21-01

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 Kensington Water and
Pollution Control Corporation for an increase in
sewer and water rates and charges.

BEFORE THE COMMISSION
on Monday, the 11th day of January, 2021

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 Kensington Water and Pollution Control Corporation for an increase in sewer and water rates and charges.

Order

WHEREAS the Kensington Water and Pollution Control Corporation (the “Utility” or “Kensington”), filed an application with the Island Regulatory and Appeals Commission (the “Commission”) for approval to increase sewer and water rates and charges, effective January 1, 2021, January 1, 2022, January 1, 2023, January 1, 2024 and January 1, 2025;

AND WHEREAS the Commission posted details of the application on its website and published a Notice in the local newspaper inviting written comments on Kensington’s proposal;

AND WHEREAS no comments were received in response to the published Notice of Application;

AND WHEREAS the Commission has reviewed the utility's rate application, including analysis of Kensington's revenues and expenditures for both water and sewer services;

AND WHEREAS the Commission has concluded that increased revenues are needed to offset costs for recent water and sewer plant upgrades;

AND WHEREAS it appears to the Commission that the tariffs of rates and charges approved herein are 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 rate tariffs for services of the Kensington Water and Pollution Control Corporation, as set out in Schedules S1a – S1e and W1a – W1e, annexed hereto and forming part of this Order, are approved and declared effective on January 1, 2021, January 1, 2022, January 1, 2023, January 1, 2024 and January 1, 2025, respectively, and shall remain in effect until otherwise ordered by the Commission.

DATED at Charlottetown, Prince Edward Island, this 11th day of January, 2021.

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.