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Public Utilities Board
Appointed by Order in Council

Board Members

Chairperson

Robert T. Gabor Q.C., Winnipeg +

Vice-Chair

Marilyn Kapitany, Winnipeg (bil.)

Members

Larry Ring, Winnipeg
Carol-Anne Hainsworth, Winnipeg Beach
Dr. Hugh Grant, Winnipeg
Susan Nemec, Winnipeg
Shawn McCutcheon, Carman
Sharon McKay, Thompson
Robert Vandewater, Winnipeg
Michael Watson, East St. Paul
Irene Hamilton, Winnipeg

+ Civil Servant

Mandate:

The Board is an independent quasi-judicial administrative tribunal. It operates pursuant to *The Public Utilities Board Act* and is responsible for the regulation of public utilities and other matters as defined under the Act. Other enactments assigning regulatory and/or adjudicative responsibilities to the Board are:

The Crown Corporations and Public Review and Accountability Act
The Greater Winnipeg Gas Distribution Act
The Gas Allocation Act
The Gas Pipeline Act
The Prearranged Funeral Services Act
The Cemeteries Act
The City of Winnipeg Act (passenger carrier agreements)
The Manitoba Water Services Board Act (Appeals)
The Highways Protection Act (Appeals)
The Emergency 911 Public Safety Answering Point Act (Appeals)
The Consumer Protection Act
The Municipal Act

Utilities regulated by the Board are Manitoba Hydro, Centra Gas Manitoba Inc. (a wholly owned subsidiary of Manitoba Hydro), Stittco Utilities Man Ltd., Swan Valley Gas Corporation, Manitoba Public Insurance (basic Autopac), and approximately three hundreds municipal, cooperative and private water and sewer utilities. With respect to the City of Winnipeg's water and sewer utility operations, the Board has regulatory jurisdiction excepting for rate setting. Municipal water and sewer utilities owned and

operated by the Manitoba Water Services Board are excluded from the Board's jurisdiction, except that customers may appeal decisions of the Manitoba Water Services Board to the Public Utilities Board.

Authority:

The Public Utilities Board Act

The Crown Corporations and Public Review and Accountability Act

The Greater Winnipeg Gas Distribution Act

The Gas Allocation Act

The Gas Pipeline Act

The Prearranged Funeral Services Act

The Cemeteries Act

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The Manitoba Water Services Board Act (Appeals)

The Highways Protection Act (Appeals)

The Emergency 911 Public Safety Answering Point Act (Appeals)

The Consumer Protection Act

The Municipal Act

Responsibilities:

Represents and/or determines the public interest in the approval and/or establishment of fair and reasonable rates and other matters with respect to for regulated utilities and MPI. Regulated utilities include natural gas and electrical energy, water and sewer, and, with respect to MPI, basic compulsory automobile insurance. Administers legislation governing pipeline safety in Manitoba, and licenses and oversees privately owned cemeteries, crematoriums and prearranged funeral services providers and natural gas brokers.

The Board also sets the maximum rates that can be charged for the cashing of specified provincial government or government enterprises' cheques and provides recommendations to government, generally following triennial reviews of the rates charged by payday lenders.

Hears appeals regarding Highway Traffic Board, Manitoba Water Services Board, 911 operator decisions, and, as well, natural gas, propane and water service disconnections. Licenses natural gas brokers and sellers of prearranged funeral plans.

Approves, denies or varies certain public transportation and related agreements involving the City of Winnipeg. Acts as a regulator with respect to MISO's requirements of Manitoba Hydro with respect to electrical reliability. Holds public processes, issues public notices and decisions, and operates a website.

The Board relies on a small staff and a roster of professional advisors. The Chair is responsible for assigning members to panels (to hear rate and other applications), establishing hearing schedules, liaison with government on process issues, and the administration of staff, the latter function largely takes place through the Board's Executive Director and Secretary.

Membership:

Not less than three members. The Board sits in panels, generally three or two members but, in certain circumstances, the Chair only.

Length of Terms:

At pleasure. 10 year max.

Desirable Experience:

Individuals have a good grasp of the various aspects of the public interest. Capable of understanding complex issues involving legal, accounting, engineering and economic matters.

Fair and impartial (must have no conflicts of interest).

Experience in financial systems, legal frameworks, evidence-based decision making, processes of administrative tribunals, technical, and consumer issues

The membership of the Board should include at least one lawyer, one professional accountant and one member that is fluently bilingual. The Board has established position descriptions for members and the Chair, and, as well, has enacted a Code of Conduct and Rules of Practice and Procedure (posted on the Board's website).

Time Commitment:

Maximum number of days a member may sit (either in a panel or at full Board meetings) ranges between 15 to 50 days in a year. A hearing can run from 2 to 30 sitting days; panels rarely sit more than three days in a week with respect to a single matter. Most meetings are held in Winnipeg, however, other meetings (particularly water and sewer rate hearings) are held throughout the Province.

Meetings:

Frequency: 15 – 50 days in a year

Location: Winnipeg, with some (particularly water and sewer rate hearings) are held throughout the Province.

Remuneration:

Chair: \$446.00 / Day
\$256.00 / Half Day

Vice-Chair &
Members: \$146.00 per meeting or \$255.00 per day

Members are reimbursed for out-of-pocket expenses in accordance with the GMA.