

BYLAW 20865 - EPCOR WASTEWATER SERVICES BYLAW

To Replace Bylaw 19627 - EPCOR Drainage Services and Wastewater Treatment Bylaw

Recommendation

That Bylaw 20865 be given the appropriate readings.

Purpose

To establish new customer rates and terms and conditions of service for Wastewater Services (Treatment and Collection) provided by EPCOR Water Services Inc. (EWSI) for the three year period April 1, 2025 to December 31, 2027.

Readings

Bylaw 20865 is ready for three readings.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 20865 be considered for third reading.”

Previous Council/Committee Action

At the October 11, 2024, Utility Committee meeting, the following motion was passed:

That Bylaw 20865 - EPCOR Wastewater Services Bylaw be referred back to Administration to work with EPCOR Water Services Inc. to update the Bylaw as per the recommendations in Attachment 9, as amended, of the October 11, 2024, Financial and Corporate Services report FCS02677, and return to City Council with an updated draft of Bylaw 20865 prior to April 1, 2025.

REPORT

This report includes the new proposed Bylaw 20865 - EPCOR Wastewater Services Bylaw submitted by EWSI. The new Bylaw 20865 will establish new customer rates and terms and conditions of service for Wastewater Collection Services and Wastewater Treatment Services for the period April 1, 2025 to December 31, 2027. If the new Bylaw 20865 receives the appropriate

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readings, it will replace the existing Bylaw 19627 - EPCOR Drainage Services and Wastewater Treatment Bylaw, which sets customer rates and terms and conditions of service effective until March 31, 2025. The new Bylaw 20865 will come into effect on April 1, 2025.

Originally, Bylaw 20865 accompanied the October 11, 2024, Financial and Corporate Services report FCS02677, which assessed EWSI's Wastewater Performance Based Regulation (PBR) application to establish new customer rates and terms and conditions of service for Wastewater Collection Services and Wastewater Treatment Services for the period April 1, 2025 to December 31, 2027. Proposed Bylaw 20865 was referred back to Administration to work with EWSI to update per the recommendations in Attachment 9 of the October 11, 2024, Financial and Corporate Services report FCS02677 (Administration Review of EPCOR Water Services 2025-2027 Performance Based Regulation Application for EPCOR Wastewater Treatment and Wastewater Collection) and return to City Council with an updated draft prior to April 1, 2025.

On December 13, 2024, EWSI brought forward EXT02788, EPCOR Water Services - 2025-2027 Wastewater Services Performance Based Regulation Compliance Filing, to address the recommendations identified in the October 11, 2024 meeting. The report was recommended to City Council for approval. Based on Utility Committee recommendations, this proposed bylaw now incorporates these changes and has been updated with revised utility rates.

The current EPCOR Drainage Services and Wastewater Treatment Bylaw 19627 was passed by City Council in 2021 for a term effective April 1, 2022 to March 31, 2025. The replacement of Bylaw 19627 would be effective on passing Bylaw 20865 and result in new proposed rates, as well as changes in terminology by using the term "Wastewater Collection Services" rather than "Drainage Services" (Attachment 1). A redline of proposed Bylaw 20865 as compared to current Bylaw 19627 is in Attachment 2. The most significant changes to the bylaw are explained in an appendix submitted by EPCOR as part of its PBR application. This summary is specifically found in Attachment 2 of the October 11, 2024, Financial and Corporate Services report FCS02677, EPCOR Water Services 2025-2027 PBR Application for EPCOR Wastewater Treatment and Wastewater Collection.

Community Insight

The public had an opportunity to register to speak at the Utility Committee meeting held on October 11, 2024 regarding the EWSI PBR application, including submissions from Administration and the public. The process for the review and approval of the EWSI application was advertised in the Edmonton Journal and the Edmonton Sun on June 12, 2024 and June 28, 2024. EWSI completed a stakeholder engagement process as part of the PBR application development to ensure that programs and initiatives aligned with stakeholder expectations. Details on EWSI's stakeholder engagement process are included in the October 11, 2024, Financial and Corporate Services report FCS02677.

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Legal Implications

City Council has the authority to pass Bylaw 20865 under section 7 (g) of the *Municipal Government Act*, RSA 2000, c M-26, through the powers to pass bylaws for public utilities and services provided by or on behalf of the municipality. EPCOR Drainage and Wastewater Treatment Bylaw 19627 set out a mechanism for setting and adjusting fees, rates and charges for wastewater treatment and wastewater collection services for a period that expires March 31, 2025. Therefore, a new Bylaw taking effect April 1, 2025 is required to set fees, rates and charges for the next three year term.

Attachments

1. Bylaw 20865 - EPCOR Wastewater Services Bylaw
2. Bylaw 19627 - EPCOR Drainage Services and Wastewater Treatment Bylaw (Red Line Version)

Others Reviewing the Report

- M. Plouffe, Chief People Officer and City Solicitor