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**RP-2002-0159**

**EB-2003-0261**

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**IN THE MATTER OF** the *Municipal Franchises Act*,  
R.S.O. 1990, c. M.55;

3  
**AND IN THE MATTER OF** an application by an applica-  
tion by Union Gas Limited for an order seeking interim  
renewal of its franchise rights in the Town of Mattawa.

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**By delegation, before:** Mark C. Garner

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**INTERIM ORDER**

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Union Gas Limited filed an application dated November 20, 2002 with the Ontario Energy Board under the Municipal Franchises Act, R.S.O. 1990, c. M.55 (the "Act") for an order approving the terms and conditions upon which and the period for which the Corporation of the Town of Mattawa (the "Corporation") is by by-law to grant to Union the right to construct and operate works, and the right to extend and add to the works for the distribution of gas in the Town of Mattawa (the "Municipality"). Union also applied for an order of the Board declaring and directing that the assent of the electors of the Town of Mattawa to the by-law is not necessary. The Board assigned File No. RP-2002-0159/EB-2002-0485 to this application.

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Union filed an application dated October 6, 2003, under subsection 10(4) of the Act for an order extending Union's previously approved franchise rights in the Municipality. The Board assigned this application for interim approval File No. RP-2002-0159/EB-2003-0261. Union previously entered into a franchise agreement with the Corporation (E.B.A. 419) which expired on July 11, 2003.

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Union has a Certificate of Public Convenience and Necessity (E.B.C. 125) for the Municipality.

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Based on the information provided, granting the interim application is in the public interest.

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**IT IS ORDERED THAT:**

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1 The right of Union Gas Limited to construct and operate works and to extend and add to the works for the distribution of gas in the Town of Mattawa is continued on the terms and

conditions set out in the franchise agreement between Union Gas Limited and the Corporation of the Town of Mattawa dated July 11, 1983, until the Board disposes of the main application or January 11, 2004, whichever is earlier.

**DATED** at Toronto, October 16, 2003.

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ONTARIO ENERGY BOARD

Paul B. Pudge  
Assistant Secretary