



EB-2009-0034

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

AND IN THE MATTER OF an application by Union Gas Limited for an order cancelling or superseding existing Certificates of Public Convenience and Necessity for certain geographic areas that now form part of the Municipality of Thames Centre and replacing these with a single Certificate of Public Convenience and Necessity.

By delegation, before: Neil McKay

DECISION AND ORDER

Union Gas Limited ("the Applicant") has filed an application dated January 27, 2009 with the Ontario Energy Board (the "Board") under section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended (the "Act"), for an order of the Board that cancels or supersedes the existing Certificates of Public Convenience and Necessity ("Certificate") associated with the former municipalities within the Municipality of Thames Centre (the "Municipality") and establishes a single Certificate for the areas of the Municipality not covered by Certificate E.B.C. 111, 119 held by Natural Resource Gas Limited ("NRG").

The Board has assigned File No. EB-2009-0034 to this application. The Board's Notice of Application and Written Hearing was published on February 11, 2009. There were no intervenors.

On January 1, 2001, the former Township of North Dorchester and the former Township of West Nissouri were amalgamated to form the Municipality. The Applicant currently holds franchise agreements with the former Township of North Dorchester and the former Township of West Nissouri. The Applicant also holds a Certificate (F.B.C. 99) for the former Township of West Nissouri and a Certificate (F.B.C. 259) for the areas of the

former Township of North Dorchester not covered by Certificate E.B.C. 111, 119 held by NRG.

The Board finds that it is in the public interest to grant the application and that public convenience and necessity requires that approval be given.

IT IS THEREFORE ORDERED THAT:

1. The Certificate of Public Convenience and Necessity F.B.C. 99 covering the former Township of West Nissouri is cancelled.
2. The part of the existing Certificate of Public Convenience and Necessity F.B.C. 259 covering areas within the former Township of North Dorchester is superseded by the certificate attached as Appendix A to this Decision and Order.
3. A Certificate of Public Convenience and Necessity, attached as Appendix A to this Decision and Order, is granted to Union Gas Limited to construct works to supply gas in the Municipality of Thames Centre excluding those areas covered by Certificate E.B.C. 111, 119 held by Natural Resource Gas Limited.

DATED at Toronto, April 14, 2009

ONTARIO ENERGY BOARD

Original signed by

Neil McKay
Manager, Facilities Applications

APPENDIX A

TO BOARD DECISION AND ORDER

EB-2009-0034

DATED: April 14, 2009

**Certificate of Public Convenience and Necessity for
the Municipality of Thames Centre**

EB-2009-0034

Certificate of Public Convenience and Necessity

The Ontario Energy Board hereby grants

Union Gas Limited

approval under section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended, to construct works to supply gas to the

Municipality of Thames Centre

excluding those areas covered by Certificate E.B.C. 111, 119 held by Natural Resource Gas Limited.

This certificate replaces Certificate F.B.C. 99 and the part of Certificate F.B.C. 259 currently held by Union Gas Limited that is associated with the former Township of North Dorchester that is now within the Municipality of Thames Centre.

DATED at Toronto, April 14, 2009

ONTARIO ENERGY BOARD

Original signed by

Neil McKay
Manager, Facilities Applications