



EB-2007-0800

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 existing Certificates of Public Convenience and Necessity for certain geographic areas that now form part of the City of Windsor and replacing these with a single Certificate of Public Convenience and Necessity.

By delegation, before: Neil McKay

DECISION AND ORDER

Union Gas Limited ("Union") has filed an application dated October 9, 2007 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 City of Windsor (the "Municipality") and establishes a single Certificate for the Municipality.

The Board has assigned File No. EB-2007-0800 to this application.

The Board's Notice of Application and Written Hearing was published on November 2, 2007. There were no intervenors.

The former Town of Ojibway became part of the City of Windsor effective January 1, 1966. A Certificate of Public Convenience and Necessity (F.B.C. 222) was issued for the former Town of Ojibway by the Ontario Fuel Board on April 25, 1958. Certificates of Public Convenience and Necessity for the City of Windsor and all other former

Municipalities now part of the City of Windsor were not required since service has been provided starting prior to April 1, 1933.

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. 222 for the former Town of Ojibway is cancelled.
2. 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 City of Windsor.

DATED at Toronto, January 28, 2008

ONTARIO ENERGY BOARD

Original signed by

Neil McKay
Manager, Facilities Applications

APPENDIX A
TO BOARD DECISION AND ORDER
EB-2007-0800
DATED: January 28, 2008

Certificate of Public Convenience and Necessity for the
City of Windsor

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

City of Windsor

This certificate replaces the certificates or portions of certificates associated with the former entities that are now within the City of Windsor.

DATED at Toronto, January 28, 2008

ONTARIO ENERGY BOARD

Original signed by

Neil McKay
Manager, Facilities Applications