



EB-2009-0099

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 parts of an existing Certificate of Public Convenience and Necessity for certain geographic areas that now form part of the Municipality of North Perth 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 March 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 supersedes the parts of the existing Certificate of Public Convenience and Necessity ("Certificate") E.B.C. 29 associated with the former municipalities within the Municipality of North Perth (the "Municipality") and establishes a single Certificate for the Municipality.

The Board has assigned File No. EB-2009-0099 to this application. The Board's Notice of Application and Written Hearing was published as directed by the Board. There were no intervenors.

On January 1, 1998, the former Township of Wallace, the former Township of Elma and the former Town of Listowel were amalgamated to form the Town of North Perth. On July 7, 2005, the Town of North Perth changed its name to the Municipality of North Perth.

The Applicant previously held franchise agreements with the former municipalities now within the Municipality. These expired during the period April 6, 2009 to May 9, 2009.

The Applicant also holds a Certificate (E.B.C. 29) which covers the three former municipalities now within the Municipality as well as other municipalities outside of the Municipality.

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 parts of the existing Certificate of Public Convenience and Necessity E.B.C. 29 covering the former Township of Wallace, the former Township of Elma and the former Town of Listowel now within the Municipality of North Perth are superseded by the certificate attached as Appendix A to this Decision and Order.
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 Municipality of North Perth.

DATED at Toronto, June 16, 2009

ONTARIO ENERGY BOARD

Original Signed By

Neil McKay
Manager, Natural Gas Applications

APPENDIX A
TO BOARD DECISION AND ORDER

EB-2009-0099

DATED: June 16, 2009

Certificate of Public Convenience and Necessity for
the Municipality of North Perth

EB-2009-0099

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 North Perth

This certificate replaces the parts of Certificate E.B.C. 29 currently held by Union Gas Limited that is associated with the former Township of Wallace, the former Township of Elma and the former Town of Listowel that are now within the Municipality of North Perth.

DATED at Toronto, June 16, 2009

ONTARIO ENERGY BOARD

Original Signed By

Neil McKay
Manager, Facilities Applications