



EB-2009-0090

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 Brockton 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 17, 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 parts of the existing Certificate of Public Convenience and Necessity ("Certificate") associated with the former municipalities now within the Municipality of Brockton (the "Municipality") and establishes a single Certificate for the Municipality.

The Board has assigned File No. EB-2009-0090 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, 1999, the former Township of Brant, the former Town of Walkerton and the former Township of Greenock were amalgamated to form the Municipality.

Union holds a Certificate, E.B.C. 29 which covers the former Township of Brant and the former Town of Walkerton, as well as a number of other communities in the area. Union has a franchise agreement (EB-2009-0089) with the Municipality. There are no other natural gas utilities, other than Union, in 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29 covering the former Township of Brant and the former Town of Walkerton now within the Municipality of Brockton are superseded by the certificate attached as Appendix A to this Decision and Order.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 Brockton.

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-2009-0090

DATED: June 16, 2009

**Certificate of Public Convenience and Necessity for
the Municipality of Brockton**

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 Brockton

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 Brant and the former Town of Walkerton that are now within the Municipality of Brockton.

DATED at Toronto, June 16, 2009

ONTARIO ENERGY BOARD

Original Signed By

Neil McKay
Manager, Natural Gas Applications