



**EB-2010-0205**

**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 the existing Certificate of Public Convenience and Necessity associated with the former Village of Dutton and the former Township of Dunwich and replacing these with a Certificate of Public Convenience and Necessity for the amalgamated Corporation of the Municipality of Dutton-Dunwich.

**By delegation, before:** Neil McKay

### **DECISION AND ORDER**

Union Gas Limited (“Union”) has filed an application dated May 27, 2010 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 and supersedes the parts of the existing Certificate of Public Convenience and Necessity associated with the former Village of Dutton and the former Township of Dunwich now within the Municipality of Dutton-Dunwich (the “Municipality”) and establishes a single Certificate of Public Convenience and Necessity (the “Certificate”) for the Municipality.

The Board has assigned File No. EB-2010-0205 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 Village of Dutton and the former Township of Dunwich were amalgamated to form the Municipality of Dutton-Dunwich by Minister’s Order.

Union currently holds a Franchise Agreement with the Municipality of Dutton-Dunwich (EB-2010-0204 dated July 16, 2010). Union also holds a Certificate for the former Village of Dutton and the former Township of Dunwich (F.B.C. 259) which was issued by the Ontario Fuel Board on March 17, 1959 to 81 municipalities.

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and Necessity F.B.C. 259 associated with the former Village of Dutton and the former Township of Dunwich are superseded by the certificate attached as Appendix A to this Decision and Order.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 Dutton-Dunwich.

**DATED** at Toronto, July 16, 2010

**ONTARIO ENERGY BOARD**

*Original Signed By*

Neil McKay  
Manager, Natural Gas Applications

**APPENDIX A**

**TO BOARD DECISION AND ORDER**

**EB-2010-0205**

**DATED: July 16, 2010**

**Certificate of Public Convenience and Necessity for  
the Municipality of Dutton-Dunwich**

**EB-2010-0205**

## **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 Dutton-Dunwich**

This certificate replaces the parts of Certificate F.B.C. 259 currently held by Union Gas Limited associated with the former Village of Dutton and the former Township of Dunwich.

**DATED** at Toronto, July 16, 2010

**ONTARIO ENERGY BOARD**

*Original Signed By*

Neil McKay  
Manager, Natural Gas Applications