



**EB-2013-0438**

**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 approving the terms and conditions upon which, and the period for which, the Corporation of the Township of Lucan Biddulph is, by by-law, to grant to Union Gas Limited the right to construct and operate works for the distribution, transmission and storage of natural gas and the right to extend and add to the works in the Township of Lucan Biddulph; and

**AND IN THE MATTER OF** an application by Union Gas Limited for an order directing and declaring that the assent of the municipal electors of the Township of Lucan Biddulph to the by-law is not necessary.

**By delegation, before:** Pascale Duguay

**DECISION AND ORDER**  
**March 6, 2014**

**The Application**

Union Gas Limited ("Union") filed an application dated December 19, 2013 with the Ontario Energy Board under the *Municipal Franchises Act* for an order approving the terms and conditions upon which, and the period for which, the Corporation of the Township of Lucan Biddulph is, by by-law, to grant to Union the right to operate works and add to works for the distribution of gas in the Township of Lucan Biddulph for a period of 20 years. Union requested an order declaring and directing that the assent of the municipal electors is not necessary.

The application has been assigned Board file number EB-2013-0438.

Union submitted a resolution passed by the Council of the Township of Lucan Biddulph on November 4, 2013 approving the form of the draft by-law and requesting that the Board declare and direct that the assent of the municipal electors to the by-law is not necessary.

The Board's Notice of Application and Written Hearing was published January 9, 2013. There were no intervenors.

### **Board Findings**

The Board notes that Union filed a complete application and provided notice to the public in the manner instructed by the Board. The Board further notes that no party intervened to object to, or comment on, the application. The proposed franchise agreement is in the form of the 2000 Model Franchise Agreement.

The Board finds that it is in the public interest to grant the application.

### **IT IS ORDERED THAT:**

1. The terms and conditions upon which, and the period for which, the Corporation of the Township of Lucan Biddulph is, by by-law, to grant to Union Gas Limited the right to construct and operate works for the distribution, transmission and storage of natural gas and the right to extend and add to the works in the Township of Lucan Biddulph, as set out in the franchise agreement attached as Appendix A, are approved.
2. The assent of the municipal electors of the Corporation of the Township of Lucan Biddulph to the by-law is not necessary.

**DATED** at Toronto, **March 6, 2014**

**ONTARIO ENERGY BOARD**

*Original Signed By*

Pascale Duguay  
Manager, Natural Gas Applications

**APPENDIX A**  
**TO THE BOARD'S DECISION AND ORDER IN**  
**EB-2013-0438**  
**DATED: March 6, 2014**  
**Franchise Agreement**