



EB-2012-0446

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 Natural Resources Gas Limited for an order approving the terms and conditions upon which, and the period for which, the Corporation of the Municipality of Central Elgin is, by by-law, to grant to Natural Resources 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 Municipality of Central Elgin.

By delegation, before: Neil McKay

**INTERIM ORDER
November 22, 2012**

Natural Resources Gas Limited (“NRG”) and the Corporation of the Municipality of Central Elgin (the “Corporation”) are party to two municipal franchise agreements in the Municipality. The two franchise agreements include one with the former Township of Yarmouth and one with the former Village of Belmont, whereby NRG has the right to construct and operate works for the distribution of gas, and the right to extend or add to the works, in and through the Municipality of Central Elgin for a period of 20 years (the “Right”). The municipal franchise agreement with the former Village of Belmont expired on July 13, 2012.

NRG filed an application with the Ontario Energy Board (the “Board”) on November 16, 2012, under section 10 of the *Municipal Franchises Act* (the “Act”) for an order of the Board renewing the term of the Right for a period of 20 years. NRG seeks the renewal of the existing franchise agreement using a 20-year franchise agreement based on the Model Franchise Agreement established by the Board. NRG also requests an order of the Board, under subsection 10(4) of the Act, for a continuation of the Right in accordance with the existing municipal franchise agreement until the earlier of: (i) an

order being made under section 10(2) of the Act in respect of this application; or (ii) an agreement being reached between the NRG and the Corporation on a new municipal franchise agreement.

The Board has assigned file number EB-2012-0446 to the application.

Pursuant to section 10(4) of the Act, the Board will grant NRG an interim order continuing its Right to operate in the Municipality of Central Elgin in accordance with the existing municipal gas franchise agreement between NRG and the Corporation, until such time that the Board makes a final determination on the franchise renewal application.

IT IS ORDERED THAT:

1. The Municipal Gas Franchise Agreement between Natural Resources Gas Limited and the Corporation of the Municipality of Central Elgin, for the former Village of Belmont, dated July 14, 1982 is extended until such time that the Board makes a final determination on the municipal franchise renewal application No. EB-2012-0446.

DATED at Toronto, November 22, 2012

ONTARIO ENERGY BOARD

Original signed by

Neil McKay
Manager, Natural Gas Applications