



EB-2008-0077

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 Town of Halton Hills 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 Town of Halton Hills;

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 Town of Halton Hills to the by-law is not necessary.

By delegation, before: Neil McKay

DECISION AND ORDER

Union Gas Limited ("Union") has filed an application dated April 3, 2008 with the Ontario Energy Board (the "Board") under section 9 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended (the "Act"), for an order of the Board approving the terms and conditions upon which and the period for which the Corporation of the Town of Halton Hills is, by by-law, to grant to the Applicant the right to construct and operate works for the distribution of gas and the right to extend and add to the works in the Town of Halton Hills (the "Municipality"). The Applicant has also applied for an order of the Board declaring and directing that the assent of the municipal electors to the by-law is not necessary.

The Board has assigned file number EB-2008-0077 to this application.

Union submitted a resolution passed by the Council of the Municipality on February 25, 2008, 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.

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The Board's Notice of Application and Hearing was published on April 25, 2008. There were no intervenors.

Union is presently serving the Municipality. Union also holds a Certificate of Public Convenience and Necessity (EB-2008-0080) for the Municipality.

The proposed franchise agreement is in the form of the 2000 Model Franchise Agreement approved by the Board as a standard form of agreement.

Based on the information provided in the application, granting the orders requested is in the public interest. Further, in all the circumstances, the assent of the municipal electors can properly be dispensed with.

IT IS ORDERED THAT:

1. The terms and conditions upon which, and the period for which, the Corporation of the Town of Halton Hills 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, as set out in the franchise agreement attached as Appendix A, are approved.
2. The assent of the municipal electors of the Town of Halton Hills to the by-law is not necessary.

DATED at Toronto, May 16, 2008

ONTARIO ENERGY BOARD

Neil McKay
Manager, Facilities Applications

APPENDIX "A"
TO BOARD DECISION AND ORDER
EB-2008-0077

DATED: May 16, 2008

FRANCHISE AGREEMENT