

M A N I T O B A

Order No. 132/11

THE PUBLIC UTILITIES BOARD ACT

October 3, 2011

Before: Graham Lane, CA, Chairman
Len Evans, LLD., Member
Monica Girouard, CGA, Member

**CENTRA GAS MANITOBA INC.: FRANCHISE APPLICATION
(RURAL MUNICIPALITY OF STE. ANNE)**

1.0 Summary

By this Order, the Public Utilities Board (Board) approves, on an interim ex parte basis, Centra Gas Manitoba Inc.'s (Centra) Application for an amendment to the franchise agreement between Centra Gas Manitoba Inc. and the Rural Municipality of Ste. Anne.

2.0 Application

On September 28, 2011, Centra applied to the Board, requesting approval and authorization of an amendment to the franchise agreement between Centra and the Rural Municipality (RM) of Ste. Anne.

This agreement amends the existing franchise agreement dated December 14, 2005 by adding the franchise area required to serve one additional residential customer in the RM of Ste. Anne. The proposed franchise area addition includes the SE ¼ of Section 5, Township 7, Range 7E.

The customer's residence is in the RM of Ste. Anne immediately north of Henrie Road which is in the RM of La Broquerie. Centra has a 60.3 mm (2") polyethylene distribution main located adjacent to Henrie Road in the RM of La Broquerie.

Centra will install a new customer service line connecting the residential customer to the existing distribution main.

There is no charge to the customer as the length of the service connection does not exceed the standard service length of 46 metres as specified in Centra's Terms and Conditions of Service.

The RM of Ste. Anne gave first reading to By-law No. 8-2011 on September 14, 2011, authorizing the franchise amending agreement between the RM and Centra Gas Manitoba Inc.

3.0 Board Findings

The Application was filed consistent with the Board's requirements (as established in Board Order 109/94). No financial feasibility test is required as there are no capital upgrades necessary to Centra's distribution system and the project consists of a single customer service line from an existing main to the customer's residence.

Accordingly, the Board will approve the Application.

Board decisions may be appealed either in accordance with the provisions of Section 58 of *The Public Utilities Board Act* or reviewed in accordance with Section 36 of the Board's Rules of Practice and Procedure (Rules). The Board's Rules may be viewed on the Board's website at www.pub.gov.mb.ca.

4.0 IT IS THEREFORE ORDERED THAT:

1. The amendment to the Franchise Agreement between Centra Gas Manitoba Inc. and the Rural Municipality of Ste. Anne, attached hereto as Appendix "A" to this Order, BE AND IS HEREBY APPROVED on an interim ex parte basis;
2. This interim Order will remain in full effect until confirmed or otherwise by a subsequent Order of the Board.

The Public Utilities Board

"GRAHAM LANE CA"
Chairman

"KURT SIMONSEN P.Eng."
Acting Secretary

Certified a true copy of Order No. 132/11
issued by The Public Utilities Board

Acting Secretary

SCHEDULE "A"

THIS AMENDING AGREEMENT made as of the _____ day of _____, 2011.

BETWEEN:

RURAL MUNICIPALITY OF STE. ANNE,

(hereinafter called the "Municipality"),

OF THE FIRST PART,

- and -

CENTRA GAS MANITOBA INC.,

(hereinafter called "Centra"),

OF THE SECOND PART.

WHEREAS the Municipality entered into a franchise agreement dated December 14, 2005 (hereinafter the "Franchise Agreement") with Centra Gas Manitoba Inc., granting that company the franchise to supply and deliver natural gas to the Municipality and inhabitants with the areas set forth in the said Franchise Agreement;

AND WHEREAS the Municipality has agreed that it is in its interest to grant Centra a franchise amending agreement (the "Amending Agreement") for the supply and delivery of natural gas to those portions of SE Quarter Section 5, Township 7, Range 7 EPM contained within the limits of the Municipality, as a further addition to its existing franchise territory;

AND WHEREAS by by-law duly passed by the Council of the Municipality, the Reeve and the Chief Administrative Officer have been authorized and directed to execute the Amending Agreement on behalf of the Municipality;

NOW THEREFORE pursuant to the premises and in consideration of the sum of TEN (\$10.00) DOLLARS now paid by Centra to the Municipality, and in further consideration of the mutual covenants hereinafter set forth, it is mutually covenanted and agreed by the parties as follows:

1. That Paragraph 1 of the Franchise Agreement is hereby amended by extending the franchise area designated therein to include those portions of SE Quarter Section 5, Township 7, Range 7 EPM contained within the limits of the Municipality (as set out in the map attached as Appendix 1).
2. The parties hereby confirm that all other terms and conditions of the Franchise Agreement, as amended from time to time through Orders of the Public Utilities Board remain in full force and effect and continue to be binding upon the successors and assigns of each of the parties hereto.
3. This Amending Agreement will be binding upon and enure to the benefit of the parties and their successors and assigns.

IN WITNESS WHEREOF the parties have affixed their corporate seals, attested to by the signatures of their proper officers, as of the day and year first above written.

RURAL MUNICIPALITY OF STE. ANNE

Per: _____
Reeve

Per: _____
Chief Administrative Officer

CENTRA GAS MANITOBA INC.

Per: _____
Authorized Signing Officer

Per: _____
Authorized Signing Officer

MUN. OF STE. ANNE

IV-02

PROVINCE OF MANITOBA
HIGHWAYS DEPARTMENT
DESIGN OFFICE
WINNIPEG, JANUARY 1970

REVISED:- MAY 1986
SEPT. 1986
DEC. 1991
JAN. 1992

SCALE 1 INCH = 3 MILES



Existing Franchise Area



Proposed Franchise Area

TRANS CANADA HIGHWAY



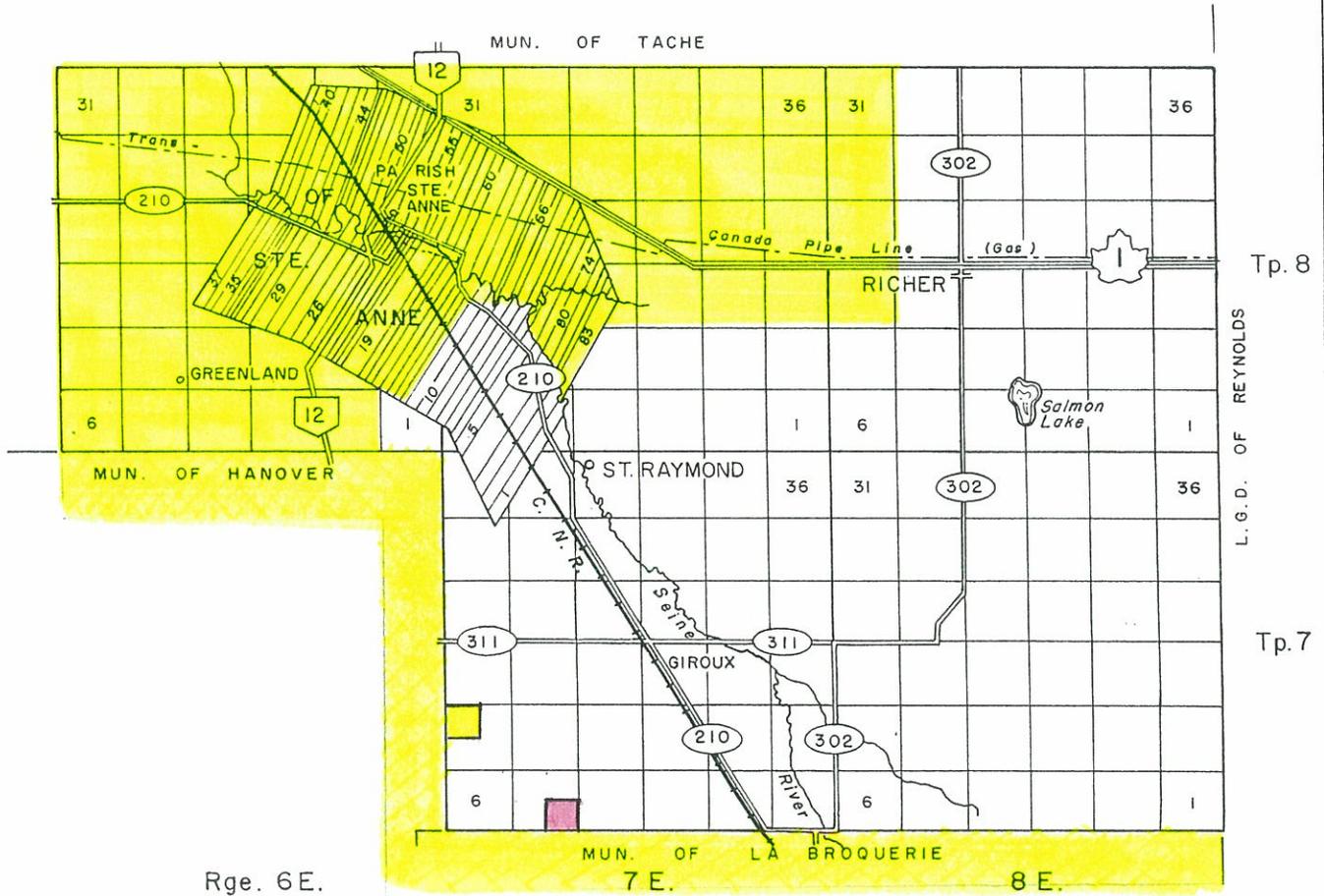
PROVINCIAL TRUNK HIGHWAY



PROVINCIAL ROAD



RAILWAY



Rge. 6 E.

7 E.

8 E.