



ORDER

IN THE MATTER OF an application by Liberty Utilities (Gas New Brunswick) LP, as represented by its general partner Liberty Utilities (Gas New Brunswick) Corp. for a permit to construct pipelines to provide natural gas distribution service to Havelock, New Brunswick, pursuant to sections 4, 5, and 8 of the *Pipeline Act, 2005*, S.N.B. 2005, c. P-8.5, and sections 3, 4, 5 and 8 of the *Pipeline Filing Regulation - Pipeline Act, 2005*, N.B. Regulation 2006-3.

(Matter No. 496)

August 30, 2021

ORDER

WHEREAS the New Brunswick Energy and Utilities Board (Board) issued a Partial Decision, dated July 2, 2021, and a Decision, dated August 24, 2021, concerning an Application filed by Liberty Utilities (Gas New Brunswick) LP, as represented by its general partner Liberty Utilities (Gas New Brunswick) Corp. (Liberty) for a permit to construct pipelines;

AND WHEREAS the Board approved a permit to construct pipelines and a customer service charge, to be levied on customers in Havelock, New Brunswick;

AND WHEREAS the Board found that the amounts of the customer service charge to be levied on customers, based upon an agreement between Headwater Exploration Inc. and Liberty (Headwater-Liberty Agreement) dated April 16, 2021, were reasonable, at this time;

AND WHEREAS the Board stipulated that these amounts may, however, be subject to further review;

AND WHEREAS the Board directed Liberty to file the Headwater-Liberty Agreement publicly or withdraw their Claim for Confidentiality over this document with the Chief Clerk of the Board within five business days of the Decision;

AND WHEREAS Liberty withdrew its Claim for Confidentiality over the Liberty-Headwater Agreement by letter filed with the Board on August 30, 2021.

NOW THEREFORE IT IS ORDERED THAT:

1. Pursuant to section 59 of the *Gas Distribution Act, 1999*, S.N.B. 1999, c. G-2.11, the Board sets a customer service charge at \$1.06 per gigajoule to customers in Havelock;
2. This Order shall remain in effect until June 30, 2024, or until the Board amends the Order.

Dated at Saint John, New Brunswick, this 30th day of August 2021.

BY THE BOARD



Kathleen Mitchell
Kathleen Mitchell
Chief Clerk