

MANITOBA) Order No. 20/01
)
THE PUBLIC UTILITIES BOARD ACT)
)
THE CITY OF WINNIPEG ACT) February 5, 2001

BEFORE: M. Girouard, Acting Chairman
S. Proven, Member

**3582435 MANITOBA LTD. - APPLICATION
FOR AN ORDER WITH RESPECT TO THE
OPERATION OF A LOCAL TRANSPORTATION
SERVICE IN THE CITY OF WINNIPEG**

Pursuant to Section 573(3) of The City of Winnipeg Act, the City of Winnipeg and 3582435 Manitoba Ltd. entered into an agreement dated December 18, 2000 (the "Agreement") with respect to the operation of a local passenger transportation service within the City of Winnipeg to be operated by 3582435 Manitoba Ltd. The Agreement was filed with The Public Utilities Board (the "Board") for an Order approving the operation of a local passenger transportation service.

The Board has jurisdiction over this application pursuant to Section 107 of The Public Utilities Board Act, which states:

"The board may perform duties assigned to it

(a) by Act or resolution of the Legislature;
(b) by order of the Lieutenant Governor in Council; or

(c) as an appellate or arbitrating body under an agreement between a municipality and the owner of a public utility;

and Part I, in so far as it is applicable, applies to the carrying out of duties so assigned."

The Board notes that the Agreement sets out a minimum standard of safety by virtue of the requirement that 3582435 Manitoba Ltd. comply with the requirements of Periodic Mandatory Vehicle Inspection Regulation 76/94, and further sets out minimum liability insurance coverage.

The Board finds that the approval of the Agreement is in the public interest and that the conditions of operation as set out in the Agreement are necessary, and expects that the operator will comply with all conditions set out therein and will require confirmation of same from time to time.

Due to the limited nature of the service the Board deems that Public Notice of the application is not required.

IT IS THEREFORE ORDERED THAT:

1. The Agreement between 3582435 Manitoba Ltd. and the City of Winnipeg dated December 18, 2000 and attached hereto as Appendix "A" is authorized.

2. 3582435 Manitoba Ltd. be authorized to operate the Service in accordance with all provisions of the Agreement attached hereto, and any extensions or revisions thereto.
3. 3582435 Manitoba Ltd. file evidence of full compliance with Regulation 76/94, being the Periodic Mandatory Vehicle Inspection Regulation, as amended from time to time, for a bus, notwithstanding that any given vehicle may not come within the definition of "bus" in said Regulation.
4. This Order expires upon the termination of the Agreement.
5. Nothing in the foregoing relieves 3582435 Manitoba Ltd. from its duty to conform with all applicable provisions and requirements of The Motor Transport Board.

THE PUBLIC UTILITIES BOARD

"M. GIROUARD"
Acting Chairman

"G. O. BARRON"
Secretary

Certified a true copy of Order
No. 20/01 issued by The Public
Utilities Board

Secretary