



NEW BRUNSWICK
ENERGY & UTILITIES BOARD

COMMISSION DE L'ÉNERGIE ET DES SERVICES PUBLICS
NOUVEAU-BRUNSWICK



January 12, 2021

Via Email

Mr. Marc Dionne
General Manager
Saint John Transit Commission
55 McDonald Street
Saint John, NB E2J 0C7

Re: Hampton Comex Service

We acknowledge receipt of your letter addressed to the undersigned, dated January 7, 2021 as well as the letter to you from Ken Chorley, the Mayor of Hampton, dated November 10, 2020. In your letter, you state that Saint John Transit Commission's Motor Carrier License should be modified to reflect that service between the City of Saint John and the Town of Hampton (Hampton Comex Service) has been eliminated, effective January 1st, 2021.

Discontinuance of a public motor bus service may only occur with an order of the New Brunswick Energy and Utilities Board (Board) following a hearing, pursuant to section 8 of the *Motor Carrier Act*, R.S.N.B. 1973, c. M-16. Section 8 provides as follows:

8 Except as provided in section 9 no licensed motor carrier shall abandon or discontinue any public motor bus service comprised within its licence without an order of the Board which shall be granted only after a hearing upon such notice as the Board may direct.

There has been no order of the Board granting the discontinuance of the Hampton Comex Service, effective January 1st, 2021.

The Board will review your letter and determine the manner in which it will proceed with respect to the disposition of this matter. Until such time as an order has been rendered, the Hampton Comex Service is not considered discontinued by the Board.

Any discontinuance of a licenced service without prior Board approval will be considered as a failure to comply with section 8 of the *Motor Carrier Act*, and as such, may constitute an offence punishable under the *Provincial Offences Procedure Act*, S.N.B. 1987, c. P-22.1.

Should you have any questions, please do not hesitate to contact the Board's General Counsel, Katherine McBrearty, at (506) 643-7431.

Sincerely,

A handwritten signature in black ink that reads "Kathleen Mitchell". The signature is written in a cursive style with a large initial 'K'.

Kathleen Mitchell
Chief Clerk

cc: Ken Chorley, Mayor, Town of Hampton