



DECISION

**IN THE MATTER OF an application by
EASTLINK Door-to-Door ShuttleExpress Inc.
for approval to provide a scheduled public
motor bus service between the communities
of Moncton and Shediac, New Brunswick**

December 1, 2010

IN THE MATTER OF an application by EASTLINK Door-to-Door ShuttleExpress Inc. for approval to provide a scheduled public motor bus service between the communities of Moncton and Shediac, New Brunswick.

New Brunswick Energy and Utilities Board:

Raymond Gorman, Q.C., Chairman
Cyril Johnston, Vice-Chairman
Roger McKenzie, Member

Lorraine Légère, Secretary to the Board

Ellen Desmond, Board Counsel

Applicant:

EASTLINK Door-to-Door ShuttleExpress Inc.

Georges Le Roc, President

Intervenors:

There were no intervenors.

DECISION

This matter arises out of an application filed by EASTLINK Door-to-Door ShuttleExpress Inc. (the “Applicant” or “Eastlink”) on August 31, 2010 for an amendment to its motor carrier license (New Brunswick Motor Carrier License #4240). The Applicant, which has operated a charter service in New Brunswick since 2006, applied to New Brunswick Energy and Utilities Board (the “Board”) to amend its licence by adding:

For the carriage of passengers and their baggage in 10 to 14 passenger seating capacity shuttle buses as a scheduled operation, with the right to pick up and drop off passengers from the town of Shediac, NB to the city of Moncton, NB and vice versa.

The application further requested that the Board approve the proposed service and tariffs. Notice of the application was published in *The Royal Gazette* on October 6, 2010.

The Board received no “notices of objection” to the application and the application was considered by a panel of the Board on November 4, 2010. The panel did not approve the amendment to the Eastlink licence at that time noting that, while the application indicated that “there is no bus service available” between Moncton and Shediac “at the present time”, Acadian Coach Lines LP (a competing common carrier) does, in fact, provide a once-daily scheduled service between the two communities. Accordingly, as per Section 4(6) of the *Motor Carrier Act*, the panel scheduled a hearing on the application for 1:30 PM on Wednesday December 1, 2010 at the Board’s premises in Saint John. In accordance with Section 62 of the *Energy and Utilities Board Act*, the Applicant was directed to post the Notice of the hearing (in both official languages) in the town halls of the communities affected, to advertise the Notice of the hearing in two weekly newspapers, and to post details of the proposed fares and schedules on its company website.

Prior to the hearing, the Applicant filed a Business Plan in support of the proposed scheduled service for review by the Board. At the time of filing, the Applicant requested that the Business Plan be treated as “confidential” in accordance with Section 34 of the *Energy and Utilities Board Act*.

In accordance with Section 6(1) of *NB Regulation 84-301 (the Motor Carrier Act)*, the Applicant also provided proof that Notice of the hearing had been served on the mayors of Moncton and Shediac, and on the Codiac Transit Commission and Acadian Coach Lines LP, two competing common carriers.

Prior to the start of the hearing the Applicant provided copies of the advertisements that had appeared in the weekly papers, verifying that it had complied with the Board Order regarding notice of the hearing to the public. The Applicant provided copies of the fares and schedules for the proposed service. The Applicant also provided details of the arrangements made for passengers at the pick-up and drop-off points in Moncton and Shediac. In addition, the Applicant filed a letter in support of the proposed scheduled service from Mr. Raymond Cormier, Mayor of the Town of Shediac.

There were no intervenors present at the hearing, nor did the Board hear from any persons indicating that they were opposed to the proposed service and tariffs.

The Board considered the pre-filed evidence as well as the oral evidence of Mr. Georges Le Roc, the President of Eastlink. The Board granted the licence amendment requested and an oral decision was given.

The Board approved the following schedule and tariff:

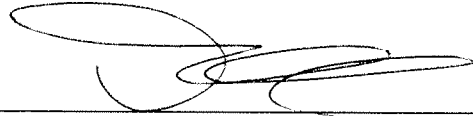
1. Five daily round-trip scheduled runs between Moncton and Shediac each weekday;
2. Three daily round trip scheduled runs between Moncton and Shediac on weekends and holidays: and
3. A cash fare of \$8.00 per one-way trip.

(The approved schedules are attached to this decision at Schedule A.)

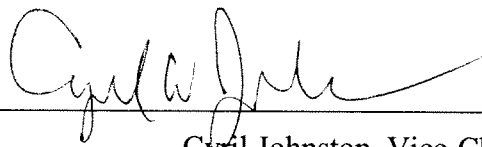
During the hearing the Board reminded the Applicant that neither changes to its tariff nor abandonment or discontinuance of any of the approved services are permitted without an Order of the Board. Should the Applicant modify its schedules from those filed at the hearing, the Board directs that the modified schedule be filed with the Board as soon as practicable and, whenever possible, prior to the changes taking effect.

The proposed scheduled public motor bus service between Moncton and Shediac is approved and shall commence on January 5, 2011.

Dated at the City of Saint John, New Brunswick this 1st day of December, 2010.



Raymond Gorman, Q.C., Chairman



Cyril Johnston, Vice-Chairman



Roger McKenzie, Member

Schedule "A"

Daily Shuttle Runs (Monday - Friday)

Moncton-to-Shediac (Departures Only)

	1st Run	2nd Run	3rd Run	4th Run	5th Run
Champlain Mall (between Toys R Us and Scotia Bank)	07:00 AM	08:25 AM	09:50 AM	03:50 PM	05:30 PM
Shediac Town Hall	07:20 AM	08:45 AM	10:10 AM	04:10 PM	05:50 PM

Shediac-to-Moncton (Departures Only)

	1st Run	2nd Run	3rd Run	4th Run	5th Run
Parc Pascal Poirier (231 Belliveau Ave)	07:30 AM	09:00 AM	10:30 AM	04:30 PM	06:00 PM
Shediac Town Hall	07:35 AM	09:05 AM	10:35 AM	04:35 PM	06:05 PM
Université de Moncton (Bibliothèque)	07:55 AM	09:25 AM	10:55 AM	04:55 PM	06:25 PM
Moncton City Hospital	08:05 AM	09:30 AM	11:05 AM	05:00 PM	07:00 PM
George Dumont Hospital	08:15 AM	09:40 AM	11:15 AM	05:15 PM	07:10 PM
Champlain Mall (between Toys R Us and Scotia Bank)	08:25 AM	09:50 AM		05:30 PM	

Weekend Shuttle Runs (Saturday, Sunday and Legal Holidays)

Moncton-to-Shediac (Departures Only)

	1st Run	2nd Run	3rd Run
Champlain Mall (between Toys R Us and Scotia Bank)	08:25 AM	09:50 AM	03:50 PM
Shediac Town Hall	08:45 AM	10:10 AM	04:10 PM

Shediac-to-Moncton (Departures Only)

	1st Run	2nd Run	3rd Run
Parc Pascal Poirier (231 Belliveau Ave)	09:00 AM	10:30 AM	04:30 PM
Shediac Town Hall	09:05 AM	10:35 AM	04:35 PM
Université de Moncton (Bibliotheque)	09:25 AM	10:55 AM	04:55 PM
Moncton City Hospital	09:30 AM	11:05 AM	05:00 PM
George Dumont Hospital	09:40 AM	11:15 AM	05:15 PM
Champlain Mall (between Toys R Us and Scotia Bank)	09:50 AM		05:30 PM