

**PROVINCE OF NEW BRUNSWICK  
BOARD OF COMMISSIONERS OF PUBLIC UTILITIES**

**IN THE MATTER OF an application by  
S.M.T. (EASTERN), LIMITED d/b/a ACADIAN  
LINES FOR APPROVAL OF THE TRANSFER  
OF THE OPERATING AUTHORITIES  
INCLUDED IN ITS LICENSE NO. 582 TO  
ACADIAN MOTOR COACH LINES LP (the  
"APPLICATION")**

**ORDER**

**WHEREAS** S.M.T. (EASTERN), LIMITED d/b/a ACADIAN LINES ("SMT") has applied to the Board of Commissioners of Public Utilities of New Brunswick ("Board") pursuant to Section 4 of the Motor Carrier Act, Chapter M-16 R.S.N.B. (the Act), for an order authorizing the transfer of the operating authorities included in its license No. 582 to Acadian Motor Coach Lines LP;

**AND WHEREAS** the proposed transfer of authorities would result in a new carrier continuing to operate the regularly scheduled services throughout New Brunswick in accordance with the schedule previously approved by the Board;

**AND WHEREAS** the Board intends to grant the Application on March 2, 2004 ("Grant Date") unless it receives a notice of objection on or before February 24, 2004.

**NOW THEREFORE IT IS ORDERED THAT:**

1. The Application will proceed by way of written submissions unless interveners demonstrate in writing to the Board, in accordance with this Order, that it is in the public interest to proceed by way of an oral public hearing;
2. The English and French notices of such hearing as set out in Schedule "A" hereto (the "Notices") be published once in the newspapers as set out in

Schedule "B" hereto on or before February 3, 2004; and

- a. the Notices of such hearing, be posted in all the company's terminals and on SMT's Web Site noted in paragraph 2(c ), commencing not later than February 3, 2004 and shall remain posted until February 24, 2004;
- b. the Application, together with a copy of this Order, will be placed on file for examination by interested parties, during normal business hours, at the office of the Board noted below; and
- c. parties who wish to receive a copy of the Application should contact SMT as follows:

Attention: Frank Hughes  
S.M.T. (EASTERN), LIMITED d/b/a ACADIAN LINES  
100 Midland Drive  
Dieppe, N.B.  
E1A 6X4  
Phone: (506) 858-2132  
Telecopier: (506) 858-7772  
E-mail: [hughes.frank@jdirving.com](mailto:hughes.frank@jdirving.com)  
Web Site: [www.acadianbus.com](http://www.acadianbus.com).

3. Persons intending to formally intervene regarding the Application must do so in writing no later than February 24, 2004 by notifying the Board at the address below and SMT at the address in paragraph 2 in accordance with Section 4(3) of the Act; and, such interveners shall:
  - a. set out the name of the person and any authorized representative of the person and the mailing address, address for personal service, telephone number and other telecommunications numbers of the person's authorized representative;
  - b. state the official language in which the person wishes to be heard; and,

- c. on or before March 1, 2004 file a written statement with the Board setting out in full the reasons why the Application should be denied, together with any relevant documentary evidence.
4. Persons who do not wish to formally intervene, but who wish to make comments to the Board regarding the Application, must provide their comments in writing to the Board at the address below and SMT at the address in paragraph 2 of this Notice, on or before February 24, 2003.
5. If formal written interventions are received by the Board on or before February 24, 2004, then the Application will proceed by way of an oral public hearing on March 16, 2004 commencing at 10:00 a.m. at the Board's offices located at 15 Market Square, Suite 1400, Saint John, New Brunswick.

**DATED** at the City of Saint John, New Brunswick this 15<sup>th</sup> day of January, 2004.

**BY THE BOARD**

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Lorraine R. Légère  
Secretary  
Board of Commissioners of Public  
Utilities of New Brunswick  
P.O. Box 5001  
15 Market Square, Suite 1400  
Saint John, NB  
E2L 1E8

Telephone: (506) 658-2504  
Telecopier: (506) 643-7300  
Email: [general@pub.nb.ca](mailto:general@pub.nb.ca)  
Website: [www.pub.nb.ca](http://www.pub.nb.ca)

**SCHEDULE "B"**

One insertion in the principal language of the publication on or before Tuesday  
February 3, 2004

Moncton Times

Telegraph Journal

The Daily Gleaner

L'Acadie Nouvelle