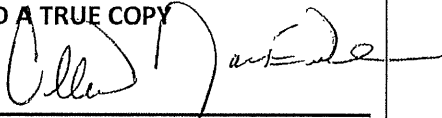




Docket: PD 914

IN THE MATTER of an application by Mel's Enterprises Inc. pursuant to section 20 of the *Petroleum Products Act*, R.S.P.E.I. 1988, c. P-5.1, for a retail petroleum outlet license to operate a retail gasoline, diesel and furnace oil outlet at the corner of Jubilee Road and TransCanada Highway, Stratford, PEI.

CERTIFIED A TRUE COPY



Allison MacEwen,
Director, Regulatory Services
Island Regulatory & Appeals Commission

DIRECTION REGARDING PROCEDURE

The Prince Edward Island Regulatory and Appeals Commission received an application from Mel's Enterprises Inc. ("Applicant") on June 4, 2021 pursuant to section 20 of the *Petroleum Products Act*, R.S.P.E.I. 1988, c. P-5.1, for a retail petroleum outlet license to operate a retail gasoline, diesel and furnace oil outlet at the corner of Jubilee Road and TransCanada Highway, Stratford, PEI ("Application");

The Commission issued a public notice of the Application on June 25, 2021 seeking comments on the Application on or before July 23, 2021;

The public notice was published on the Commission website and in the Guardian newspaper on June 26, 2021 and July 3, 2021;

The Commission received notice of an objection from Wilson Fuel Co. Limited on July 23, 2021 ("Wilson Fuel");

The Commission received notice of an objection from D&L Crane Holdings Ltd. on July 23, 2021 ("D&L Crane");

The Commission is vested with the authority over matters of procedure;

The Applicant, as a matter of procedural fairness, is entitled to respond to the objections from Wilson Fuel and D&L Crane;

The Commission desires a response from the Applicant to the objections from Wilson Fuel and D&L Crane.

THE COMMISSION ISSUES THE FOLLOWING PROCEDURAL DIRECTION to ensure that the Application is determined in an orderly, timely and fair manner:

1. The Applicant shall respond in writing to the objections from Wilson Fuel and D&L Crane on or before August 13, 2021 at 4:00 p.m. ("Response to Objections"). The Response to Objections shall be delivered to the attention of Allison MacEwen at the Commission.
2. A copy of the Response to Objections will be forwarded by the Commission to Wilson Fuel and D&L Crane. On or before August 23, 2021 at 4:00 p.m., Wilson Fuel and D&L Crane shall each:
 - (a) confirm in writing to the Commission whether they wish to continue or withdraw their objections to the Application; and
 - (b) deliver any submissions in writing to the Commission in support of its objections ("Submissions from Objectors").

Any Submissions from Objectors shall be delivered to the attention of Allison MacEwen at the Commission.

3. A copy of the Submissions from Objectors, if any, will be forwarded by the Commission to the Applicant. The Applicant shall have an opportunity to

reply in writing to the Submissions from Objectors on or before August 31, 2021 at 4:00 p.m. ("Reply"). The Reply shall be limited to new matters raised by the Submissions from Objectors and shall be delivered to the attention of Allison MacEwen at the Commission.

4. After reviewing and considering all of the information submitted, the panel of the Commission will determine whether a public hearing is required in the circumstances.
5. The Commission reserves the right to make a final decision based on all of the written information submitted and to determine the Application in writing.
6. All participants may consult, and direct the Commission to, any information, authorities or other industry resources they feel are relevant and may assist the Commission in determining the Application.
7. This direction may be adjusted or supplemented by the chairperson of the panel of the Commission to ensure that the Application is determined in an orderly, timely and fair manner.

DATED at Charlottetown, Prince Edward Island, Wednesday, August 4, 2021

BY THE COMMISSION:

(sgd) J. Scott MacKenzie

J. Scott MacKenzie, Q.C., Chair

(sgd) M. Douglas Clow

M. Douglas Clow, Vice-Chair

(sgd) Erin T. Mitchell

Erin T. Mitchell, Commissioner