



PRINCE EDWARD ISLAND

Regulatory & Appeals Commission  
Commission de réglementation et d'appels  
ÎLE-DU-PRINCE-ÉDOUARD

Docket: PD527  
Order: PC23-002

**IN THE MATTER** of an application by D.P. Murphy Inc. for a retail petroleum outlet license in Borden-Carleton, Prince Edward Island, pursuant to section 20 of the *Petroleum Products Act*, RSPEI 1988, c. P-5.1;

**AND IN THE MATTER** of requests for intervener status made by Chad and Nicholas Howatt on behalf of Howatt's Tourist Mart Ltd., and by Chad Ceretti on behalf of Ceretti's Grocery and Hardware Ltd., pursuant to the Rules of Practice & Procedure.

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# Order

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Compared and Certified a True  
Copy

(Sgd.) Allison MacEwen

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Director, Regulatory Services

**BEFORE THE COMMISSION ON Tuesday**, the 22<sup>nd</sup> day of August, 2023.

J. Scott MacKenzie, K.C., Chair  
M. Douglas Clow, Vice-Chair

## **BACKGROUND:**

1. On June 27, 2023, D.P. Murphy Inc. (the “Applicant”) filed an application with the Prince Edward Island Regulatory and Appeals Commission (the “Commission”) for a retail petroleum outlet license (the “Application”). The proposed retail petroleum outlet would be located at the corner of the Trans-Canada Highway and Dickie Road in Borden-Carleton, Prince Edward Island.
2. Upon receipt of the Application, the Commission gave public notice through a publication in local newspapers and on the Commission website. In the notice, interested parties were invited to request intervener status, in accordance with the Commission’s Rules of Practice & Procedure. The deadline to apply for intervener status was July 28, 2023.
3. The Commission received two requests for intervener status with respect to the Application.
4. On July 12, 2023, Chad Howatt and Nicholas Howatt made a written request for Added Party Intervener status. Chad and Nicholas Howatt are the co-owners of Howatt’s Tourist Mart Ltd., which is an existing retail petroleum outlet in Borden-Carleton. They submit that the Application, if approved, would harm their existing retail petroleum outlet.
5. On July 19, 2023, Chad Ceretti submitted a request for Added Party Intervener status in his capacity as the president of Ceretti’s Grocery and Hardware Ltd. Ceretti’s Grocery and Hardware Ltd. is an existing gasoline retailer in Borden-Carleton. Mr. Ceretti submits that another retail petroleum outlet in the area will negatively impact his business and the travelling public.
6. Upon receipt, the requests for intervention were provided to the Applicant for reply, in accordance with Rule 18 of the Rules of Practice & Procedure. The Applicant did not object to the requests for intervention.

## **DECISION:**

7. The Commission has reviewed the requests for intervener status. The Commission is satisfied that Chad and Nicholas Howatt and Chad Ceretti, as owners of existing petroleum retail outlets in Borden-Carleton, have a distinct and substantial interest in the Application. Based on the written requests to intervene, they also intend to actively participate in the Application.
8. As a result, the Commission approves the requests for Added Party Intervener status as filed by Chad and Nicholas Howatt on behalf of Howatt’s Tourist Mart Ltd., and by Chad Ceretti on behalf of Ceretti’s Grocery and Hardware Ltd.

**ORDER:**

The Commission orders as follows:

1. The requests for intervener status are approved. The following are granted Added Party Intervener status with respect to this Application:
  - a) Chad and Nicholas Howatt on behalf of Howatt's Tourist Mart Ltd.; and
  - b) Chad Ceretti on behalf of Ceretti's Grocery and Hardware Ltd.

**DATED** at Charlottetown, Prince Edward Island, this 22<sup>nd</sup> day of August, 2023.

**BY THE COMMISSION:**

(sgd. J. Scott MacKenzie, K.C.)

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J. Scott MacKenzie, K.C., Chair

(sgd. M. Douglas Clow)

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M. Douglas Clow, Vice-Chair