



**Docket: PD527**

**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 a Procedural Direction issued in accordance with Procedural Orders PC25-002 and PC25-003.

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# Procedural Direction

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Compared and Certified a True Copy

Regulatory Services

**BEFORE THE COMMISSION** on Friday, March 7<sup>th</sup>, 2025.

Kerri A. Carpenter, Acting Chair  
M. Douglas Clow, CPA, CA, Acting Vice-Chair

## **BACKGROUND:**

1. This Procedural Direction is issued in accordance with Procedural Orders PC25-002 and PC25-003.
2. In Procedural Order PC25-002, the Commission accepted the following two letters of support (collectively, the “Letters of Support”) for filing on behalf of the Applicant, D.P. Murphy Inc.:
  - Letter from Robert K. Irving, President of Cavendish Farms, dated February 18, 2025; and
  - Letter from Andrew W. Keith, President & CEO of SFX Transport, undated.
3. The interveners, Ceretti’s Grocery & Hardware Ltd. (“Ceretti’s”) and Howatt’s Tourist Mart Ltd. (“Howatt’s”), were required to advise by the end of day on February 21, 2025, whether they intended to reply to the Letters of Support and, if so, how long they may reasonably need to do so.
4. On February 21, 2025, Howatt’s and Ceretti’s advised (1) that they intended to reply to the Letters of Support, and (2) that they would not be in a position to do so prior to the hearing. At that time, the hearing was scheduled to begin on February 25, 2025.
5. On February 24, 2025, the Commission issued Procedural Order PC25-003 postponing the hearing. The Commission advised that it would issue a procedural direction in due course.

## **DIRECTION:**

6. To ensure that the hearing of this Application proceeds in an orderly, timely and fair manner, the interveners, Howatt’s and Ceretti’s, shall each serve and file their reply to the Letters of Support by **4:00 p.m. on March 21, 2025**. In accordance with Rule 22 of the Commission’s *Rules of Practice & Procedure*, the Commission may reject any reply documents, evidence or written submissions that are not filed by 4:00 p.m. on March 21, 2025.
7. The timelines set out herein replace the filing deadlines set forth in the Commission’s *Rules of Practice & Procedure*, including (but not limited to) the filing deadline in Rule 21(3). Any request by the Applicant or intervener(s) to file evidence after 4:00 p.m. on March 21, 2025, will require a motion to the Commission made in accordance with the *Rules of Practice & Procedure*.
8. The parties shall advise of their availability for a hearing on the following dates:
  - April 7, 8, 9, 10, 11, 14, 15, 16, 22, 23, 24, 25, 28, 29, 30
  - May 1, 2

9. The parties shall communicate their availability for the above-noted dates by email to Commission counsel, with a copy to all parties. The parties shall communicate their availability by **12:00 p.m. on Tuesday, March 11, 2025**. Should any party fail or refuse to advise of their availability by 12:00 p.m. on March 11, 2025, the Commission may schedule hearing dates based on the responses then received.

**DATED** at Charlottetown, Prince Edward Island, on the 7<sup>th</sup> day of March, 2025.

**BY THE COMMISSION:**

(sgd) Kerri A. Carpenter

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Kerri A. Carpenter, Acting Chair

(sgd) M. Douglas Clow

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M. Douglas Clow, Acting Vice-Chair