



DECISION

IN THE MATTER OF an application dated April 29, 2005 by Acadian Coach Lines LP, for Changes to its routing and scheduling for Inter-City Scheduled Service within the Province of New Brunswick

January 18, 2006

NEW BRUNSWICK

Board of Commissioners of Public Utilities

IN THE MATTER of an application dated April 29, 2005 by Acadian Coach Lines LP, for Changes to its routing and scheduling for Inter-City Scheduled Service within the Province of New Brunswick.

N.B. Board of Commissioners of Public Utilities:

Mr. David C. Nicholson, Chairman
Mr. James Bateman, Commissioner
Mr. Jacques A. Dumont, Commissioner
Mr. H. Brian Tingley, Commissioner

Ms. Lorraine R. Légère, Secretary to the Board
Mr. D. Young, Media Relations

Nova Scotia Utility and Review Board:

Mr. Roland Deveau, Member

Also present from Nova Scotia:

Mr. Dave White/Manager–
Motor Carrier Division/UARB
Ms. Anne Bonang/Court Reporter

Applicant:

Acadian Coach Lines LP

Solicitor:

Mr. John Stringer Q.C.
McInnes Cooper

Acadian Coach Lines LP & Groupe Orléans Express Inc.

Mr. Sylvain Langis/President

Groupe Orléans Express Inc.

Mr. Manon Piche/Vice-President Marketing

Witnesses:

Mr. Daniel Cote/Director of Operations
Groupe Orléans Express Inc.

Mr. Marc Perreault/Operations Supervisor –
Acadian

Intervenors:

Michael Perry

**Presentation by telephone conference call
at 1:15 pm**

**The Board received five (5) letters of
Comment to the changes, however, there
were no intervenors present at the hearing.**

DECISION

This matter was heard in Sackville, New Brunswick on Wednesday, the 19th. of October 2005.

The New Brunswick Public Utilities Board held a concurrent hearing with the Nova Scotia Utility and Review Board as represented by Commissioner Roland A. Deveau.

This application was solely for the purpose of changes to routing and scheduling for Acadian buses within the Maritime Provinces. This was the first revision of scheduling since Acadian Lines changed ownership. The company President, Sylvain Langis, testified that twice a year they review their schedules, not only in the Acadian system, but also the system owned by Acadian's principals operating in the Province of Quebec. This application is made in an attempt to rationalize the routes within the system to gain efficiencies and better serve the public. As well, they propose to cancel two runs that were consistently losing money.

For the purposes of this application, Acadian's routes within New Brunswick were referred to as follows:

Route 1 Moncton – Saint John – Bangor and Bangor – Saint John – Moncton

Route 2 Halifax – Moncton – Riviere du Loup and Riviere du Loup – Moncton – Halifax

Route 3 Campbellton – Fredericton – Saint John and Saint John – Fredericton –
Campbellton

Route 4 Moncton – Miramichi – Campbellton and Campbellton – Miramichi – Moncton

Route 5 Moncton – Amherst – Charlottetown and Charlottetown – Amherst – Moncton

The proposed changes on Route 3 were to add a daily trip from Fredericton to Saint John with some minor changes to scheduled times for departure and arrivals along this route.

Route 4 – the changes were minor changes to the scheduled times for departure and arrivals.

Route 5 – At present, Acadian offers service from Moncton to Charlottetown on Friday, Saturday and Sunday, departing Moncton at 8 in the evening and arriving in Charlottetown at 10:30 pm.

Likewise, a bus leaves Charlottetown at 5:15 pm, arriving in Moncton at 7:45 pm. on Friday, Saturday and Sunday. The Application requests the dropping of the Saturday run, but providing the service on Friday and Sunday. In addition, there are two other daily trips between

Charlottetown and Moncton and return. The scheduled arrival and departure times on this route are changed in a minor fashion, plus the Friday and Sunday runs will be via Amherst.

The changes requested to Route 1 is the addition of a bus from Saint John to Bangor every day of the week. At present, that service is only offered three days per week, being Friday, Saturday and Sunday. The existing connecting run from St. Andrews to St. Stephen and then on to Saint John departing St. Stephen at 8:15 am each day Monday to Thursday and arriving in Saint John at 9:35 am with a return trip departing Saint John at 4:00 pm and arriving in St. Stephen at 5:50 pm. This route is presently served by a third party carrier, H.M.S. Limousines. The Applicant is requesting that the Board cancel this trip. If the Board were to allow the cancellation of this trip, the people of Charlotte County would be unable to make a round-trip from their homes in St. Andrews, St. Stephen or St. George to the City of Saint John and return in the same day. The daily service to Bangor departs at 2:20 in the afternoon, arriving in St. Stephen at 3:45 p.m., whereas the bus from Bangor departs Bangor at 11:45 in the morning and arrives in St. Stephen at 4:00 in the afternoon.

One active intervenor addressed the Board, via conference telephone call, as to the convenience of the present service. Mr. Michael Perry, who is a resident of St. Andrews, indicated the convenience to the people of Charlotte County of having the existing run provided by H.M.S. Limousines. People could attend the Regional Hospital and medical specialists in Saint John and return home in the late afternoon. It was Mr. Perry's contention that the reason the Applicant was proposing changes to this route was so that they could provide a streamlined international daily service. He appealed to the Board to not allow the Applicant to cancel that run providing daily service to the residents of Charlotte County.

The applicant provided the Board with statistics from January through to September of 2005 which showed an average of 4.8 people took the St. Stephen to Saint John run and an average 5.1 people the return trip from Saint John to St. Stephen. The issue of use of the run is a bit clouded as the figures given to the Board included the H.M.S. revenues and costs to go from Saint John to Sussex and on to Young's Cove to connect with the buses using Route 2. The overall annual revenues from this route were estimated for a 12 month period at \$106,665, whereas the annual cost was \$135,200 for an annual loss of \$28,535. The evidence is not clear if the H.M.S.

contract were amended to simply make the run from St. Andrews via St. Stephen to Saint John and return would show an equivalent loss.

The Board has seriously considered the proposal of cancelling the local run by H.M.S. Limousines but believes that the public would be best served by Acadian Lines providing a round-trip local run from St. Stephen, St. Andrews, St. George to Saint John and return in one day. We order that Acadian Lines continue to offer that service for a period of six months from the date of this decision, keeping accurate records of the ridership. We further order Acadian Lines to file a report with the Board after five months of the continuing run. If it proves more economic to simply have the run from St. Andrews, St. Stephen to Saint John provided by H.M.S. Limousines, and the return trip be made on the Saint John/Bangor run that departs 2:20 in the afternoon, then Acadian Lines is allowed to make this change. If they choose to use the return trip on the Saint John to Bangor bus, they might consider arranging for the morning trip from Charlotte County to Saint John to run one half hour earlier with an arrival in Saint John at 9:05 a.m. This would allow Charlotte County residents a little over five hours to do their

business in the City of Saint John, including making use of the regional health services and specialists in that city.

Route 2 would see a reduction in the trips from Edmundston and Riviere du Loup and return reduced from three trips to two trips per day. The trips to be cancelled would be the bus that leaves Edmundston at 9:50 in the morning arriving in Riviere du Loup at 10:40 a.m. (Quebec time). The return trip would be the late evening bus leaving Riviere du Loup at 8:20 p.m. (Quebec time) and arriving in Edmundston at 11:10 p.m.

The Board received a petition from passengers in the Edmundston area as well as objections from a number of businesses. The business objections to the cancellation was on the basis that they used the bus for package transportation. Towards the conclusion of the hearing, counsel for the applicant indicated to the Board that the parent company of the applicant had gone through the regulatory process and did not get any objections. The majority of the Edmundston to Riviere du Loup route lies within the Province of Quebec and it is this Board's understanding that Riviere du Loup is a hub for bus routes of the parent company.

Due to other Board business, the panel was unable to render a decision in this matter at an early time, but had reserved time between Christmas and New Years to complete same.

The day before the Christmas break, the Secretary of the Transport Board in the Province of Quebec was in touch with the Secretary of the New Brunswick Board suggesting that perhaps a joint hearing with the Quebec Board would be in order. The Secretary of the New Brunswick Board conveyed this information to the panel and received instructions to contact the Quebec Board. She was unable to do so until the week of January 9th at which time the panel of this Board learned that there had in fact been a significant number of objections filed with the Quebec Board concerning the deletion of the return trip on Route 2.

It was discussed with the Quebec Board and decided that the public interest would be served by holding a concurrent hearing with that Board somewhere within Quebec between the New Brunswick border and Riviere du Loup with specific arrangements to be completed later.

At the time of the concurrent hearing with Quebec we will expect the applicant to provide thorough evidence on costing, together with as many possible alternative arrangements to continue to allow members of the public in northeastern New Brunswick to be able to make a round trip between Edmundston and Quebec City in one day as the present schedule allows.

In conclusion, this Board wishes to recommend to the New Brunswick Provincial Government to do a study of public transportation services within the regions of the province where more and more medical services are being offered in a regional center. We, as well as most New Brunswickers, are aware of Federal infrastructure money that is being given to the provinces to assist in public transportation. These funds may or may not be able to be used to subsidize public transportation services between smaller communities and their regional health center, we do not know. With fuel prices escalating, this province, like all others, is attempting to cut greenhouse gas emissions, we believe some subsidization from Government should flow to support transportation from rural areas of the province to the regional health centers and other increasingly centralized services. Bus is the only mode of public transportation in New Brunswick, except for CN rail in Eastern New Brunswick.

Dated in Saint John, New Brunswick this 18th day of January, 2006.

Lorraine R. Légère
Board Secretary