

## REVIVAL AND AMENDING AGREEMENT

**THIS AGREEMENT** is dated the \_\_\_\_ day of September, 2019 and effective as of August 31, 2019.

**B E T W E E N:**

**THE CITY OF SAINT JOHN** (the "Municipality")

- and -

**ENBRIDGE GAS NEW BRUNSWICK LIMITED PARTNERSHIP**, as  
represented by its general partner **ENBRIDGE GAS NEW  
BRUNSWICK INC.** ("EGNB")

**WHEREAS** the Municipality and EGNB entered into a Municipal Operating Agreement dated August 14, 2000 and an Amending Agreement dated June 13, 2019 (collectively, the "Municipal Operating Agreement");

**AND WHEREAS** the parties wish to revive, renew and amend the Municipal Operating Agreement in the manner hereinafter set forth;

**NOW THEREFORE** this Agreement witnesses that in consideration of the mutual covenants and agreements hereinafter contained the parties, intending to be legally bound, agree as follows:

1. The Municipal Operating Agreement is hereby revived and is declared to be in full force and effect unamended, except to the extent expressly set forth herein.
2. Effective immediately prior to August 31, 2019, the term of the Municipal Operating Agreement is amended to expire on December 31, 2019.
3. For greater certainty, the parties hereby agree to be bound by the terms of the Municipal Operating Agreement as if never terminated and that except for the amendment made in paragraph 2 hereof, all the other terms and conditions of the Municipal Operating Agreement are hereby confirmed.
4. This Agreement may be executed and delivered in counterparts, each of which, when so executed and delivered, shall be deemed to be an original and such counterparts together shall constitute one and the same agreement.

**IN WITNESS WHEREOF** each party has executed this Agreement by its duly authorized representative(s):

**THE CITY OF SAINT JOHN**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Resolution Date: \_\_\_\_\_

**ENBRIDGE GAS NEW BRUNSWICK  
LIMITED PARTNERSHIP**, as represented by  
its general partner **ENBRIDGE GAS NEW  
BRUNSWICK INC.**

---

---

PROVINCE OF NEW BRUNSWICK

COUNTY OF YORK

I, **GILLES VOLPÉ**, of the City of Fredericton, in the County of York and Province of New Brunswick, **MAKE OATH AND SAY THAT:**

1. I am the General Manager of Enbridge Gas New Brunswick Inc. (hereinafter called the "Company"), and as such have personal knowledge of all matters sworn to herein.
2. The seal affixed to the foregoing instrument is the seal of the Company and was affixed thereto by order of the board of directors of the Company.
3. The signature "Dave Lavigne" subscribed to the foregoing instrument is the signature of Dave Lavigne who is the Manager, Corporate Services of the Company and the signature "Gilles Volpé" subscribed thereto is my signature.
4. The General Manager and Manager, Corporate Services are the officers of the Company duly authorized to execute the foregoing instrument.

**SWORN TO BEFORE ME** at the City  
of Fredericton, in the County of York  
and Province of New Brunswick, this  
\_\_\_\_ day of September, 2019.

\_\_\_\_\_  
Commissioner of Oaths  
Being a Solicitor

)  
)  
)  
)  
)  
)  
)  
)  
)

\_\_\_\_\_  
**GILLES VOLPÉ**