



EB-2009-0057

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c. 15, Schedule B;

AND IN THE MATTER OF an application pursuant to
section 74 of the *Ontario Energy Board Act, 1998* by J.P.
Morgan Commodities Canada Corporation to amend
electricity wholesaler licence EW-2008-0153.

By delegation, before: Jennifer Lea

DECISION AND ORDER

J.P. Morgan Commodities Canada Corporation filed an application with the Ontario Energy Board pursuant to section 74 of the *Ontario Energy Board Act, 1998*, for an order of the Board to amend the licence name of electricity wholesaler licence EW-20008-0153 from UBS Commodities Canada Ltd. ("UBS") to J.P. Morgan Commodities Canada Corporation

The application was received by the Board on February 11, 2009. On March 25, 2009, the applicant filed additional information to support its application.

The licence amendment is granted.

Reasons

The applicant stated that on February 1, 2009, J.P. Morgan Ventures Energy Corporation acquired 100% of the equity of UBS. The applicant also stated that as this was a stock acquisition, the legal entity of UBS remained in existence but the UBS name was changed to J.P. Morgan Commodities Canada Corporation.

The applicant filed a Certificate of Amalgamation and the Articles of Amalgamation of J.P. Morgan Commodities Canada Corporation as evidence of the acquisition and the name change.

Other than the change in licence name, the applicant stated that there are no other changes to the entity. All other corporate information remains the same.

The applicant stated that no person will be adversely affected in a material way by the company name change.

I have proceeded without a hearing pursuant to section 21(4)(b) of the Act since no other parties are adversely affected in a material way by the outcome of the proceeding and the applicant has requested that the matter be disposed of without a hearing.

IT IS ORDERED THAT:

Electricity wholesaler licence EW-2008-0153 is amended as requested. The amended licence is attached to this Order.

DATED at Toronto, **April 9, 2009**

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects



Electricity Wholesaler Licence

EW-2008-0153

J.P. Morgan Commodities Canada Corporation

Valid Until

September 8, 2013

Original signed by

Jennifer Lea
Counsel, Special Projects
Ontario Energy Board
Date of Issuance: September 9, 2008
Date of Amendment: April 9, 2009

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1 Definitions

In this Licence:

"**Act**" means the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B;

"**Electricity Act**" means the *Electricity Act, 1998*, S.O. 1998, c. 15, Schedule A;

"**Licensee**" means J.P. Morgan Commodities Canada Corporation;

"**regulation**" means a regulation made under the Act or the Electricity Act; and

"**wholesaler**" means a person who purchases electricity or ancillary services in the IESO-administered markets or directly from a generator or who sells electricity or ancillary services through the IESO-administered markets or directly to another person, other than a consumer.

2 Interpretation

- 2.1 In this Licence words and phrases shall have the meaning ascribed to them in the Act or the Electricity Act. Words or phrases importing the singular shall include the plural and vice versa. Headings are for convenience only and shall not affect the interpretation of this Licence. Any reference to a document or a provision of a document includes an amendment or supplement to, or a replacement of, that document or that provision of that document. In the computation of time under this Licence where there is a reference to a number of days between two events, they shall be counted by excluding the day on which the first event happens and including the day on which the second event happens. Where the time for doing an act expires on a day that is a holiday, the act may be done on the next day that is not a holiday.

3 Authorization

- 3.1 The Licensee is authorized, under Part V of the Act and subject to the terms and conditions set out in this licence:
- a) to purchase electricity or ancillary services in the IESO-administered markets or directly from a generator subject to the conditions set out in this Licence; and
 - b) to sell electricity or ancillary services through the IESO-administered markets or directly to another person other than a consumer, subject to the conditions set out in this Licence.

4 Obligation to Comply with Legislation, Regulations and Market Rules

- 4.1 The Licensee shall comply with all applicable provisions of the Act and the Electricity Act, and regulations under these Acts, except where the Licensee has been exempted from such compliance by regulation.
- 4.2 The Licensee shall comply with all applicable Market Rules.

5 Provision of Information to the Board

- 5.1 The Licensee shall maintain records of and provide, in the manner and form determined by the Board, such information as the Board may require from time to time.
- 5.2 Without limiting the generality of paragraph 5.1 the Licensee shall notify the Board of any material change in circumstances that adversely affects or is likely to adversely affect the business, operations or assets of the Licensee as soon as practicable, but in any event no more than twenty (20) days past the date upon which such change occurs.

6 Term of Licence

- 6.1 This Licence shall take effect on September 9, 2008 and expire on September 8, 2013. The term of this Licence may be extended by the Board.

7 Fees and Assessments

- 7.1 The Licensee shall pay all fees charged and amounts assessed by the Board.

8 Communication

- 8.1 The Licensee shall designate a person that will act as a primary contact with the Board on matters related to this Licence. The Licensee shall notify the Board promptly should the contact details change.
- 8.2 All official communication relating to this Licence shall be in writing.
- 8.3 All written communication is to be regarded as having been given by the sender and received by the addressee:
- a) when delivered in person to the addressee by hand, by registered mail or by courier;
 - b) ten (10) business days after the date of posting if the communication is sent by regular mail; or
 - c) when received by facsimile transmission by the addressee, according to the sender's transmission report.

9 Copies of the Licence

- 9.1 The Licensee shall:
- a) make a copy of this Licence available for inspection by members of the public at its head office and regional offices during normal business hours; and
 - b) provide a copy of this Licence to any person who requests it. The Licensee may impose a fair and reasonable charge for the cost of providing copies.