

**Board Staff Interrogatories**

**Gas Marketer Licence Renewal  
Application**

**Universal Energy Corporation  
EB-2009-0364**

1. Please list markets in North America in which Universal has marketed natural gas since October 2007.
2. Section 14 of the new application form expands the information required under Legal Proceedings to include information on regulatory actions and customer complaints for the applicant and requires the same to be provided for an affiliate of the applicant or an associated entity. Universal has provided some of the required information. Board staff understands that some information on customer complaints is available through the Board's tracking processes of complaints received by the Board. The information requested below is intended to obtain data on **all** customer complaints received by Universal/Just Energy, either directly, through the Board or other bodies.

Please provide responses to the following questions:

- a. Has Universal, an affiliate of Universal, or an associated entity (defined as a partnership or limited partnership), been subject to penalties, fines, voluntary payments as a result of an investigation or any other disciplinary actions by a regulatory body in Ontario (other than the Ontario Energy Board) or any other jurisdiction within North America in the past 5 years? If so, please provide full particulars of the event.
- b. Are there any outstanding licensing fees, ongoing investigations, or compliance orders against Universal? If so, please provide full particulars.

- c. If Universal, an affiliate of Universal, or an associated entity is currently licensed to sell electricity or natural gas in Ontario have there been any customer complaints filed against these entities with the Ontario Energy Board in relation to any OEB licensed activity since October 2007? If so, please provide the number of customer complaints filed with the Ontario Energy Board within at least the last 2 years (list according to quarterly reporting period). Please indicate the licensee's name and business activity for each complaint.
- d. If Universal, an affiliate of Universal, or an associated entity is currently licensed to sell electricity or natural gas in Ontario and/or any other jurisdictions, are there any customer complaints filed against these entities with regulatory bodies other than the Ontario Energy Board in relation to the licensed activity? If so, please provide the number of customer complaints filed with each regulatory body other than the Ontario Energy Board within at least the last 2 years (list according to quarterly reporting period). Please indicate the licensee's name, jurisdiction, business activity and name of the regulatory body for each complaint.
- e. Has any affiliate of Universal, or an associated entity ever been declared bankrupt, or is it presently party to a bankruptcy proceeding? If so, please provide a copy of the Assignment in Bankruptcy, a list of creditors, or proof of discharge.
- f. Does any affiliate of Universal or an associated entity have any unpaid judgements against it? If so, please provide a copy of each judgement and state the amount outstanding and repayment arrangements.
- g. Has any affiliate of Universal or an associated entity been found guilty or convicted of a criminal offence under any law in the past 5 years or are any charges now pending? If so, please provide full particulars.

- h. Has any affiliate of Universal or an associated entity ever had a licence or registration of any kind in Ontario and/or any other jurisdiction within North America refused, suspended, revoked or cancelled? If so, please provide full particulars.
- 3. For each key individual listed on the application, please advise if the person has been a proprietor, officer or director of an entity that had been subject to penalties, fines, voluntary payments as a result of an investigation or any other disciplinary actions by a regulatory body in Ontario and/or any other jurisdiction within North America in the past 5 years? If so, please provide the name of the business, jurisdiction and describe the situation.
- 4. Reference: Universal/Just Energy's Reply Submission, Paragraph 1  
Paragraph 1 states that "*UEC [Universal] is now wholly owned by Just Energy*".

Please confirm if any of Universal's gas contracts have been transferred to Just Energy and, if so, how many contracts were transferred. Please confirm that Universal has undertaken the notifications as required by Sections 6.2 and 6.3 of the Code of Conduct for Gas Marketers. If the contracts have not been transferred, please advise whether Universal intends to transfer these contracts to Just Energy or any other associated company in the future.

- 5. Reference: Universal/Just Energy's Reply Submission, Paragraph 25  
Paragraph 25 states that "*since acquiring UEC[Universal], Just Energy Inc. is serving Universal's existing customers through Just Energy Inc.'s staff and processes, including contract management and compliance processes.*"
  - a. It appears that Just Energy has assumed management and operational responsibility for Universal's contracts. Please explain why the renewal application has been filed by Universal rather than Just Energy.

- b. Might Universal/Just Energy market to new customers under Universal's licence?
  - c. Please describe all forms of marketing that Universal/Just Energy will undertake under the authority of this licence. Specifically, will Universal/Just Energy use:
    - 1) door to door selling;
    - 2) telemarketing;
    - 3) internet marketing;
    - 4) direct mail selling activities; or
    - 5) other – please describe.
6. Reference: Universal/Just Energy's Reply Submission, Paragraph 19  
Paragraph 19 states that *"As of July 2009, all UEC[Universal] customer accounts are being managed by Just Energy personnel, under Just Energy processes. Some UEC[Universal] operational personnel have been retained and have been integrated into the Just Energy operations organization."*
- a. Please clarify whether the "operational personnel" retained by Just Energy include sales representatives and supervisors of sales representatives who previously worked for Universal.
  - b. If Universal/Just Energy was to undertake any of the marketing methods listed in 5 b) above would Universal/Just Energy provide training to its sales representatives and sales supervisors?
  - c. Please indicate whether Universal/ Just Energy will compensate its sales representatives in whole or in part based on number of contracts sold.

7. Reference: Universal/Just Energy's Reply Submission, Paragraph 20  
In Paragraph 20 of the submission you mention that "[institution of the] reaffirmation regime for low-volume energy consumers...has essentially eliminated forgeries...". Has Universal had forgery claims made against it in Ontario other than the one noted in the Board's Notice of Intention to Make an Order For An Administrative Penalty [EB-2009-0118]? If so, how many? Please explain how each of these claims were handled and settled.