

# STABINS ENERGY LAW

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October 21, 2011.

Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
27<sup>th</sup> Floor  
2300 Yonge Street  
Toronto ON M4P 1E4

*Via e-mail and courier.*

Dear Board Secretary - Ontario Energy Board,

**RE: Canada Energy Wholesalers Ltd. - Electricity Retailer Licence Application  
Board File Number EB-2011-0253**

I have been notified that the Board has additional questions regarding Canada Energy's electricity retailing licence application. The first is why, even though Canada Energy introduced a plain language contract in January 2011, have the contract management complaints not decreased yet in 2011. The answer is that practically all of the complaints in the first half of 2011 were related to pre-2011 contracts. The simplified contracts should reduce contract management complaints going forward, however, complaints related to the more complex pre-2011 contracts are expected to continue until all of the pre-2011 contracts expire.

The second question is about the nature of agent conduct complaints and how they were resolved. As the Board may already know, Canada Energy does not use sales agents. However, Canada Energy on two occasions has purchased sets of customer contracts from other licenced electricity retailers who did use sales agents. The sales agent complaints stem from these contract purchases. As Canada Energy was not directly involved in the customer / sales agent transactions and does not have detailed information about each sales agent's actions, Canada Energy has had a very lenient policy on the cancellation of sales agent customer contracts when there is a complaint. In short, if there is any hint of impropriety and no concrete evidence that the impropriety did not occur then the contract of a complaining customer is cancelled without penalty.

The final question relates to Canada Energy's gas marketer licence. Canada Energy considered entering the natural gas business in 2006 and obtained a gas marketer licence. After further consideration Canada Energy decided to focus its resources on its core strength in electricity. As such not a single natural gas consumer was marketed to or signed up, nor is Canada Energy interested in renewing its gas marker licence.

Should you have any further questions do not hesitate to let me know.

Sincerely yours,



Peter Stabins  
Barrister & Solicitor