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**BY E-MAIL**

November 30, 2011

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

Dear Ms. Walli:

**Re: Board Staff Submission  
Blue Power Distributed Energy Corporation and  
morEnergy Savings Corp.  
Applications for an Electricity Retailer Licence and a Gas Marketer Licence  
Board File Numbers EB-2010-0335 and EB-2010-0336**

Please see attached Board staff's submission for the above two applications. Please forward the attached along with this cover letter to all interested parties with respect to this proceeding.

Yours truly,

*Original signed by*

Julie Doherty  
Advisor, Licensing

# **ONTARIO ENERGY BOARD**

## **BOARD STAFF SUBMISSION**

Blue Power Distributed Energy Corporation  
Application for Renewal of Electricity Retailer Licence

EB-2010-0335

and

morEnergy Savings Corp.  
Application for Renewal of Gas Marketer Licence

EB-2010-0336

November 30, 2011

## Background

Blue Power Distributed Energy Corporation filed an application with the Ontario Energy Board, received on November 8, 2010, under section 60 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B to renew its electricity retailer licence. At the same time, morEnergy Savings Corp., an affiliate of Blue Power, filed an application under section 50 of the Act to renew its natural gas marketer licence. The Board assigned the applications file numbers EB-2010-0335 and EB-2010-0336 respectively.

The Board issued a Notice of Application and Written Hearing for the two applications on February 25, 2011. Bluewater Distribution Corporation, an electric LDC, filed a submission on March 17, 2011 raising issues regarding similarity of name and logo between the retailer and distributor.

On August 25, 2011, the Board issued a Notice of Intention to Make an Order for Compliance, Suspension and to Impose an Administrative Penalty against Blue Power and morEnergy (the "Applicant") under the Act for breaches of enforceable provisions as defined in section 3 of the *Energy Consumer Protection Act, 2010*. The Applicant responded by providing a written Assurance of Voluntary Compliance (the "Assurance"). On September 12, 2011, the Board accepted the Assurance and an Order was issued. The Applicant was fined \$40,000.

On September 9, 2011, Board staff requested the Board to make provision for interrogatories with respect to the two applications. By interim decision dated September 12, 2011, the Board ordered that the term of the two licences be extended until such time as the renewal applications are determined or March 31, 2012, whichever is earlier. Board staff filed interrogatories on October 19, 2011 to Blue Power and morEnergy. Blue Power responded on October 31, 2011 and morEnergy on November 2, 2011.

## Board Staff Submission

Board staff's interrogatories were developed due to concerns with the Applicant's financing. The responses to the interrogatories have addressed staff's concerns.

All of which is respectfully submitted.