



ONTARIO ENERGY BOARD

BOARD STAFF SUBMISSION

Application for Gas Marketer Licence

**2001 RBCP Canadian GP Limited as a general partner
of RBC Energy Services L.P.**

Board File No.: EB-2012-0368

October 25, 2012

BACKGROUND

On September 10, 2012, 2001 RBCP Canadian GP Limited as a general partner of RBC Energy Services L.P. ("RBC") applied to the Board for a Gas Marketer licence. In the application RBC stated that it only intends to market natural gas to large volume consumers. RBC also stated that they are applying for the licence as a precautionary measure if their large volume consumer's consumption dips below the low volume threshold and if the applicant decides to market to low volume in the future.

A licence to market natural gas would enable an applicant to do the following:

- a) To sell or offer natural gas to low-volume consumers (consuming 50,000m³ or less of natural gas per year);
- b) To act as an agent or broker for a seller of natural gas to a low-volume consumer; and/or
- c) To act or offer to act as an agent or broker of a low-volume consumer in the purchase of gas.

This submission is being provided by Board staff following a review of the application and evidence filed in this proceeding.

STAFF SUBMISSION

Having reviewed the application and evidence, Board staff does not have concerns with licensing the applicant as a gas marketer.

However, Board staff submits that despite RBC's stated intention to market to large volume consumers only, the granting of a gas marketer licence will enable the applicant to market natural gas to low volume consumers. If the applicant intends to market natural gas to low-volume consumers Board staff submits that the applicant should notify the Board by filing the necessary Certificate of Compliance.

Board staff notes that licensed electricity retailers and licensed gas marketers may not enter into, renew, amend or extend the term of a contract with a low-volume consumer until such time as the marketer or retailer has filed with the

Board a Certificate of Compliance in the required form and has received from the Board written acknowledgement of it. Board staff also notes that Certificates of Compliance are associated with the obligation set out in section 3 of Ontario Regulation 90/99 (Licence Requirements – Electricity Retailers and Gas Marketers) and in sections 6.1 and 6.2 of the Gas Marketer Code of Conduct.

Board staff submits that the applicant should, in its reply submission, confirm its knowledge of the obligation to file a Certificate of Compliance as well as compliance with all relevant codes, regulations, and reporting requirements.

All of which is respectfully submitted.