



EB-2012-0420

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 morEnergy Savings Corp. to amend its gas marketer licence GM-2010-0336.

By delegation, before: Jennifer Lea

DECISION AND ORDER

February 14, 2013

On October 25, 2012, morEnergy Savings Corp. 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 change the name on its gas marketer licence GM-2010-0336 to Blue Power NG Corp. The application was incomplete and supplementary information to complete the application was filed on December 17, 2012.

The current name that appears on gas marketer licence GM-2010-0336 is morEnergy Savings Corp. The applicant requested a name change from morEnergy Savings Corp. to Blue Power NG Corp. to reflect a change in the legal name of the licensee which occurred on December 7, 2012. The purpose of the name change was to clearly identify an affiliate relationship of the applicant with Blue Power Distributed Energy Corp., a licenced electricity retailer, operating under authority of the licence ER-2010-0335. As stated by the applicant, both companies share common ownership, common staff, business systems, office space and customers. To eliminate customer confusion for

customers who have signed contracts with both companies, the applicant decided to change its name to Blue Power NG Corp. In addition, a trade mark “morEnergy” has been sold to a third party and, as a result of this transaction, the applicant has a contractual obligation to change its corporate name by February 15, 2013. The applicant stated that there will be no change in the company information apart from the name change and company address, contact information, directors and organizational structure remain the same. The applicant indicated that it notified its natural gas customers, Enbridge Gas Distribution Inc., Union Gas Limited and Kingston Utilities of the name change.

Bluewater Power Distribution Corporation, a licensed electricity distributor, had, in the licence renewal proceeding for the electricity retailer Blue Power Distributed Energy Corp., expressed concerns with respect to the similarity of the names and logos of the retailer and distributor. The applicant in this present application notified the distributor of the proposed name change for the gas marketer, and of the licence amendment application. The applicant assured the distributor that it will not market natural gas in the distributor’s service territory.

The applicant has requested that this matter be disposed of without a hearing pursuant to section 21(4)(b) of the Act. The applicant stated that the name change will only benefit its customers with little to no material adverse effect on them. I have proceeded to decide the application without a hearing since no other parties are adversely affected in a material way by the outcome of the proceeding

I find that it is in the public interest to grant the requested amendment to the licence with one condition set out below.

Given Bluewater Power Distribution Corporation’s concerns regarding the similarity of the names and logos of the applicant and the distributor, which could cause some customer confusion in the distributor’s service area, the applicant will be required to notify the Board and Bluewater Power Distribution Corporation if Blue Power NG Corp. intends to market

natural gas in Bluewater Power Distribution Corporation's service area.

IT IS THEREFORE ORDERED THAT:

1. Gas marketer licence GM-2010-0336 is amended to reflect the name change from morEnergy Savings Corp. to Blue Power NG Corp. The amended licence is attached to this Decision and Order.
2. Blue Power NG Corp. shall notify the Board and Bluewater Power Distribution Corporation if Blue Power NG Corp. intends to market natural gas in Bluewater Power Distribution Corporation's service area.

DATED at Toronto, February 14, 2013

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects