



**EB-2007-0012**

**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  
sections 52 and 74 of the *Ontario Energy Board Act*,  
1998 by ECNG Limited Partnership to amend its Gas  
Marketer Licence GM-2004-0427 and Electricity Retailer  
Licence ER-2004-0441.

**By delegation, before:** Jennifer Lea

## **DECISION AND ORDER**

ECNG Limited Partnership ("ECNG") filed an application with the Ontario Energy Board (the "Board") pursuant to sections 52 and 74 of the *Ontario Energy Board Act*, 1998 (the "Act") for an order of the Board to amend its licences. The application was received by the Board on January 15, 2007.

ECNG requested a name change from ECNG Limited Partnership to ECNG Energy LP.

The licence amendments are granted.

### **Background**

ECNG stated that it is requesting these amendments due to its joining with sister companies iQ2 Power in Alberta and PremStar Pacific in British Columbia in order to provide products and services from coast to coast in Canada under one common brand name – ECNG Energy LP.

There are no other changes to ECNG apart from the name change. All other corporate information remains the same.

## **Licence Amendments**

Pursuant to subsection 6(1) of the Act, I have been delegated the powers and duties of the Board with respect to the determination of applications made under sections 52 and 74 of the Act. This order is made under the authority of that delegation and is based on the evidence filed in support of the application.

I have proceeded without a hearing pursuant to section 21(4)(b) of the Act since no other parties are adversely affected in a material way by the outcome of the proceeding, and the applicant has consented to disposing of the application without a hearing.

### **IT IS ORDERED THAT:**

ECNG Limited Partnership's Gas Marketer Licence GM-2004-0427 and Electricity Retailer Licence ER-2004-0427 are amended to reflect the name change to ECNG Energy LP. The new licences are attached to this Decision and Order.

Under section 7(1) of the Act, this decision may be appealed to the Board within 15 days.

**DATED** at Toronto, **February 21, 2007**

ONTARIO ENERGY BOARD

*Original signed by*

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Jennifer Lea  
Special Advisor, Market Operations



# **Gas Marketer Licence**

## **Agent Only**

**GM-2004-0427**

**ECNG Energy LP**

**Valid Until**

**December 21, 2009**

*Original signed by*

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**Jennifer Lea**  
**Special Advisor, Market Operations**  
**Ontario Energy Board**  
**Date of Issuance: December 22, 2004**  
**Date of Amendment: February 21, 2007**

Ontario Energy Board  
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## **1 Definitions**

In this Licence:

"**Act**" means the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B;

"**low-volume consumer**" means a person who annually uses less than 50,000 cubic meters of gas;

"**Licensee**" means ECNG Energy LP;

"**regulation**" means a regulation made under the Act.

## **2 Interpretation**

- 2.1 In this Licence, words and phrases shall have the meaning ascribed to them in the Act. Words or phrases importing the singular shall include the plural and vice versa. Headings are for convenience only and shall not affect the interpretation of this Licence. Any reference to a document or a provision of a document includes an amendment or supplement to, or a replacement of, that document or that provision of that document. In the computation of time under this Licence, where there is a reference to a number of days between two events, they shall be counted by excluding the day on which the first event happens and including the day on which the second event happens. Where the time for doing an act expires on a holiday, the act may be done on the next day that is not a holiday.

## **3 Authorization**

- 3.1 The Licensee is authorized, under Part IV of the Act, and subject to the terms and conditions set out in this Licence:
- a) to act as the agent or broker for seller of gas to a low-volume consumer; and
  - b) to act or offer to act as the agent or broker of a low-volume consumer in the purchase of gas.
- 3.2 The Licensee is authorized to conduct business in the name under which this Licence is issued, or any trade name(s) listed in Schedule 1.

## **4 Obligation to Comply with Legislation and Regulations**

- 4.1 The Licensee shall comply with all applicable provisions of the Act and regulations under the Act except where the Licensee has been exempted from such compliance by regulation.

## **5 Obligation to Comply with Codes**

- 5.1 The Licensee shall at all times comply with all applicable provisions of the Code of Conduct for Gas Marketers, as issued and amended by the Board from time to time under Part III of the Act.
- 5.2 This Licensee shall:
- a) make a copy of the Code available for inspection by members of the public at its head office and regional offices during normal business hours; and
  - b) provide a copy of the Code to any person who requests it. The Licensee may impose a fair and reasonable charge for the cost of providing copies.

## **6 Agent for Service**

- 6.1 If the Licensee does not have an office or other place of business in Ontario, the Licensee shall ensure the continuing appointment at all times of an individual who is a resident of Ontario and is at least 18 years old, or a corporation that has its head office or registered office in Ontario, as the Licensee's agent for service in Ontario on whom service of process, notices or other documentation may be made.

## **7 Provision of Information to the Board**

- 7.1 The Licensee shall maintain records of and provide, in the manner and form determined by the Board, such information as the Board may require from time to time.
- 7.2 Without limiting the generality of paragraph 7.1, the Licensee shall notify the Board of any material change in circumstances that adversely affects or is likely to adversely affect the business, operations or assets of the Licensee as soon as practicable, but in any event no more than twenty (20) days past the date upon which such change occurs.

## **8 Customer Complaint and Dispute Resolution**

- 8.1 The Licensee shall participate in a consumer complaints resolution process selected by the Board.

## **9 Term of Licence**

- 9.1 This Licence shall take effect on December 22, 2004 and expire on December 21, 2009. The term of this Licence may be extended by the Board.

## **10 Fees and Assessments**

- 10.1 The Licensee shall pay all fees charged and amounts assessed by the Board.

## **11 Communication**

- 11.1 The Licensee shall designate a person that will act as a primary contact with the Board on matters related to this Licence. The Licensee shall notify the Board promptly should the contact details change.

- 11.2 All official communication relating to this Licence shall be in writing.
- 11.3 All written communication is to be regarded as having been given by the sender and received by the addressee:
- a) when delivered in person to the addressee by hand, by registered mail, or by courier;
  - b) ten (10) business days after the date of posting, if the communication is sent by regular mail; or
  - c) when received by facsimile transmission by the addressee, according to the sender's transmission report.

## **12 Copies of the Licence**

- 12.1 The Licensee shall:
- a) make a copy of this Licence available for inspection by members of the public at its head office and regional offices during normal business hours; and
  - b) provide a copy of this Licence to any person who requests it. The Licensee may impose a fair and reasonable charge for the cost of providing copies.

**SCHEDULE 1 AUTHORIZED TRADE NAMES**

None