



EB-2013-0318

IN THE MATTER OF the *Ontario Energy Board Act*,
1998, S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF a Notice of Intention to Make an
Order for Revocation of a Licence against Energhx Green
Energy Corporation ("Energhx"), Licence Numbers ER-
2010-0236 and GM-2010-0237.

**NOTICE OF HEARING
AND
PROCEDURAL ORDER NO. 1**

October 9, 2013

On September 4, 2013, the Ontario Energy Board (the "Board"), on its own motion under section 112.2 of the *Ontario Energy Board Act*, 1998 (the "Act"), issued a Notice of Intention to make an Order under section 112.4 of the Act (the "Notice") for revocation of Energhx Green Energy Corporation's ("Energhx") electricity retailer and gas marketer licences, ER-2010-0236 and GM-2010-0237, respectively.

A Supplementary Notice of Intention (the "Supplementary Notice") was issued on October 4, 2013.

The particulars of the allegations against Energhx are set out in the Notice and the Supplementary Notice.

The Notice stated that Energhx may make a request, within fifteen days after receiving the Notice, requiring the Board to hold a hearing on these matters. By way of letter dated September 10, 2013, Energhx requested that the Board hold a hearing.

The Board has determined that it will proceed with the matters set out in the Notice and Supplementary Notice of Intention by way of oral hearing and has set aside one (1) day for the hearing. Energhx is entitled to be present at the hearing with or without counsel and to adduce evidence and make submissions. Should Energhx fail to attend, the hearing may be conducted in its absence and Energhx will not be entitled to any further notice in the proceeding.

The Board considers it necessary to make provision for the following procedural matters related to this proceeding. The Board may issue further procedural orders from time to time.

THE BOARD THEREFORE ORDERS THAT:

1. The Board Enforcement Team shall file with the Board a copy of every document it intends to produce or enter into evidence in this proceeding and serve a copy on Energhx, on or before **October 25, 2013**.
2. Energhx shall file with the Board (particulars regarding filings with the Board are below) a copy of every document it intends to produce or enter into evidence in this proceeding and serve a copy on the Board Enforcement Team Counsel (Mr. Fredrick Schumann) on or before **November 1, 2013**. Mr. Schumann's contact information is set out below:

Stockwoods LLP Barristers
TD North Tower
77 King Street West, Suite 4130
P.O. Box 140
Toronto-Dominion Centre
Toronto, ON M5K 1H1

Tel: 416-593-2490
E-mail: fredricks@stockwoods.ca

3. An oral hearing will take place in the Board's West Hearing on **November 12, 2013 from 9:30 a.m. to 4:00 p.m.**

All filings to the Board must quote file number EB-2013-0318, be made through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <http://www.ontarioenergyboard.ca/OEB/Industry>. If the web portal is not available parties may email their documents to the address below.

All filings should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

ADDRESS OF THE BOARD

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P1E4
Attention: Board Secretary

Tel: 1-877-632-2727 (toll free)
Fax: 416-440-7656
E-mail: Boardsec@ontarioenergyboard.ca

ISSUED at Toronto, October 9, 2013

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary