



**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.

**PROCEDURAL ORDER NO. 2**

**October 18, 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 determined that it will proceed with the matters set out in the Notice and Supplementary Notice of Intention by way of oral hearing and set aside one (1) day for the hearing.

On October 9, 2013, the Board issued Notice of Hearing and Procedural Order number 1 setting November 12, 2013 as the date for an oral hearing.

On October 11, 2013, the Enforcement Team Counsel requested adjournment of this proceeding to a later date due to a scheduling conflict. Energhx communicated to Board staff that it had no issues with the dates proposed by the Enforcement Team Counsel.

The Board approves the request to adjourn this matter to a later date.

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 **November 4, 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 18, 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  
Email: [fredricks@stockwoods.ca](mailto:fredricks@stockwoods.ca)

3. The oral hearing scheduled for November 12, 2013 will be rescheduled. An oral hearing will take place in the Board's West Hearing room beginning at **9:30 a.m. to 4:00 p.m. on November 28, 2013** at 2300 Yonge Street on the 25<sup>th</sup> Floor.

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, 27<sup>th</sup> Floor  
Toronto ON M4P 1E4  
Attention: Board Secretary

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

**ISSUED** at Toronto, October 18, 2013

#### **ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary