



Friday, August 30, 2013

By E-mail

boardsec@ontarioenergyboard.ca

EB-2011-0311

The Board Secretary
Ontario Energy Board
P.O. Box 2319
27th Floor, 2300 Yonge Street
Toronto ON M4P 1E4

Dear Ms Kirsten Walli:

Re: Request for additional time to pay the Administrative Penalty
Board File No. EB-2011-0311

The Decision and Order of the Ontario Energy Board (the "Board") on July 18, 2013 in response to Energhx Green Energy Corporation ("Energhx") request for additional time to pay the administrative penalty of \$10,000 by December 31, 2013 was received. Although this decision of the Board granted Energhx an extension up to August 29, 2013 instead of the requested December 31, 2013, the spirit of grace exhibited by the Board is exemplary and highly motivational.

However, it is now obvious that Energhx still have not been able to come out of the mould. Nevertheless, we would like to strongly state our interest to retain our licences without any violation to their regulatory requirements.

The following are the review of our previous submission to the Board and the possible update of our engagements and submissions:

Review of Previous Submission of Constraints

1. Prior to April 30, 2012, and precisely in September, 2011, Energhx have voluntarily suspended all its marketing activities, including the training of its sales associates in order to ensure full compliance with all the allegations issued by the Board in its notice of September 9, 2011¹.
 - *The voluntary suspension is still in effect, since the development of the online marketing offering and other branding projects are on-going. The Board's*

¹ Transcript, Energhx Green Energy Corp Oral Hearing Vol. 1, EB-2011-0311

intention to initiate steps to suspend our licences is welcomed, only if additional constraints to our ongoing struggle to secure a financial bail-out is not hampered.

2. On March 26, 2012, Energhx have filed with the Board certificates of compliance (including the development of its online marketing strategies) and have obtained written acknowledgement of such certificates.
 - *The development of the online marketing offering and other branding projects are on-going. Deployment of new look-and-feel is being released in phases.*
 - *Although the sign-up procedure is presently visible online (<http://energhx.com/signupProductinfo.php>), the service is not available for sign-up yet because the monitoring of customer's data have not been developed.*
3. Since the development and the review of all of its marketing channels have not been completed, Energhx has not entered into a new contract, renew, amend, or extend any contract since the commencement of the stated self-suspension.
 - *Although significant developmental milestones have been covered, the project development is still on-going.*

Energhx is sincerely grateful for the generous consideration of the Board and its commitment to the Energy Competition Act, 1998, while delivering its regulatory mandate in the Ontario's energy market in the public interest.

Therefore, Energhx pray that the Board will proceed with its proposed suspension intention with graceful opportunity for us to recover, and waive every tendency of increasing our financial burden. Invariably, we will like to: a) retain the supply privilege to the six (6) electricity accounts being served with the electricity licence; b) retain our service agreements with distributors who presently have agreement with us; and c) only be constrained from using the licences to negotiate new contracts.

We strongly hope to pay this administrative penalty before the expiration of our licences.

Sincerely,



Emmanuel O.B Ogedengbe
Consultant & CEO



Tuesday, September 10, 2013

By E-mail

boardsec@ontarioenergyboard.ca

EB-2013-0318

The Board Secretary
Ontario Energy Board
P.O. Box 2319
27th Floor, 2300 Yonge Street
Toronto ON M4P 1E4

Dear Ms Kirsten Walli:

Re: Notice of Intention to Make an Order for Revocation of a Licence under section 112.4 of the Ontario Energy Board Act, 1998

The intention of the Ontario Energy Board (the "Board"), issued on September 4, 2013 on its own motion under section 112.2 of the Ontario Energy Board Act, 1998 (the "Act"), to make an Order under section 112.4 of the Act for revocation of Energhx Green Energy Corporation ("Energhx")'s electricity retailer and gas marketer licences, Licence Numbers ER-2010-0236 and GM-2010-0237, is received.

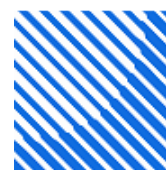
Allegations of non-compliance with detailed particulars in support of the allegations were set out in the Notice. As a market participant, who is engaged in the business of using its licences as stipulated by the Act, the intention of the Board would be appropriate. However, Energhx has voluntarily suspended the use of its licences; and it has adequately communicated this action to the Board, since 2011 (prior to the commencement of different Decisions and Orders of the Board to Energhx on these allegations).

Consequently, Energhx requests that the Board hold a hearing on these allegations, where its attendance without counsel will enable the making of submissions.

Sincerely,

Emmanuel O.B Ogedengbe
Consultant & CEO

73 Compata Way • Ottawa • Ontario • Canada • K1B 4X1
☎ 613-800-0437 ☎ 613-841-2146 🌐 www.energhx.com



CanSIA MEMBER MEMBRE



canwea



Thursday, September 12, 2013
Via Courier

The Assistant Board Secretary
Ontario Energy Board
P.O. Box 2319
27th Floor, 2300 Yonge Street
Toronto ON M4P 1E4

Dear Mr. John Pickernell:

Re: Non-Payment of Annual Licence Fee (Licence Numbers GM-2010-0237 & ER-2010-236)

The final notices to pay the annual licence fees for 2013-14 on the above-quoted licences are received. Our inability to respond to previous call is not borne out of negligence nor a disregard for the required obligation to agree with the Cost Assessment Model of the Ontario Energy Board (the "Board"). It is actually due to the unavoidable escalation of our drive to successfully conclude the process of development of our demand side monitoring model; and the consequent inability to commence marketing operation, since a self-imposed suspension of our marketing operation in 2011.

As a demonstration of our respect for the condition of our licences, Energhx had paid its previous annual licence fees when it was possible to cover these expenses as part of its initial startup business costs. However, it has presently exhausted all the financial resources of its first directors; and unable to drive additional expenses until the completion of the ongoing model development, when financial resources from investors can be assessed.

Consequently, Energhx sincerely pray that the Board would permit a considerable exemption from the obligation to share its operating and capital costs with other market participants, for this year 2013-14 while the present model development process will be completed.

Sincerely,

Emmanuel O.B Ogedengbe
Consultant & CEO

73 Compata Way • Ottawa • Ontario • Canada • K1B 4X1
☎ 613-800-0437 ☎ 613-841-2146 🌐 www.energhx.com



canwea
MEMBER MEMBRE