



**EB-2013-0392**

**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 Compliance and Administrative Penalty against Just Energy Ontario LP, Licence Number ER-2010-0153.

**NOTICE OF HEARING  
AND  
PROCEDURAL ORDER NO. 1  
February 13, 2014**

On November 14, 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 sections 112.3 and 112.5 of the Act requiring Just Energy Ontario LP ("Just Energy") to comply with a number of enforceable provisions as defined in section 3 of the Act and to pay an administrative penalty in the amount of \$60,000.00 for breaches of enforceable provisions.

As set out in the Notice of Intention, it is alleged that Just Energy has contravened section 10 of the *Energy Consumer Protection Act, 2010* (the "ECPA"), section 5 of Ontario Regulation 389/10 made under the ECPA, and sections 1.1(a), (h), and 2.1 of the Electricity Retailer Code of Conduct. Particulars in support of these allegations are set out in the Notice of Intention.

By way of letter dated November 28, 2013, Just Energy requested that the Board hold a hearing in this matter.

## Parties to this Proceeding

The parties to the proceeding are Just Energy and the members of Board staff assigned to bring these matters forward (the “Enforcement Team”).

## Disclosure

Rule 16 of the Board’s Rules of Practice and Procedure for Enforcement Proceedings (the “Enforcement Rules”) set out provisions regarding the disclosure of documents in enforcement proceedings. The Board will require the parties to make disclosure to one another in accordance with Rules 16.02 and 16.03 of the Enforcement Rules as set out below, to the extent that they have not already done so. As set out in Rule 16.05 of the Enforcement Rules, a document that is not disclosed as required under the Enforcement Rules shall not be introduced as evidence in this proceeding except with leave of the Board.

The Board will proceed by way of oral hearing.

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 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 Just Energy, on or before **March 31, 2014**.
2. The Board Enforcement Team shall file with the Board a list of the witnesses that the Enforcement Team intends to call in this proceeding, together with a witness statement or a summary of the anticipated oral evidence of each witness and serve a copy on Just Energy on or before **March 31, 2014**.
3. Just Energy 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 the Board Enforcement Team Counsel on or before **April 14, 2014**.

4. Just Energy shall file with the Board a list of the witnesses that it intends to call in this proceeding, together with a witness statement or a summary of the anticipated oral evidence of each witness and serve a copy on the Board Enforcement Team Counsel on or before **April 14, 2014**.
5. An oral hearing will take place in the Board's West Hearing room beginning at **9:30 a.m. on April 29, 2014** at 2300 Yonge Street on the 25<sup>th</sup> Floor.

All filings to the Board must quote file number EB-2013-0392 and be made electronically through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/> in searchable/unrestricted PDF format. Two paper copies must also be filed. 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. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

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 M4P1E4  
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, February 13, 2014

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary