

**Board Staff Submission**

**Access Gas Services (Ontario) Inc.**

**(“Access Gas”)**

**Gas Marketer Licence Renewal Application  
EB-2013-0414**

**March 20, 2014**

## **BACKGROUND**

On December 31, 2013 Access Gas Services (Ontario) Inc. (“Access Gas”) filed a completed application with the Ontario Energy Board under section 50 of the *Ontario Energy Board Act, 1998* (the “Act”) for renewal of its gas marketing licence.

On January 27, 2014, the Board issued a Notice of Application and Written Hearing (the “Notice”) which included dates for filing of interrogatories and submissions. No parties responded to the Notice. In accordance with the timelines set out in the Notice, on February 20, 2014 Board staff filed interrogatories on the renewal application in order to gather additional information required for the Board’s final determination of the licence renewal application. On March 4, 2014, Access Gas filed responses to Board staff interrogatories.

## **STAFF SUBMISSION**

In assessing electricity retailer and gas marketer licence applications, and licence renewal applications, the Board considers the entire applications and in particular financial viability, technical capability and past conduct of the applicant considering the Licence Requirements for electricity retailers and gas marketers set out in Ontario Regulation 90/99. These requirements include:

1. Having regard to the financial position of the applicant, the applicant can reasonably be expected to be financially responsible in the conduct of business.
2. The past conduct of the applicant affords reasonable grounds for belief that the applicant will carry on business in accordance with law and with integrity and honesty.
3. If the applicant is a corporation, the past conduct of its officers and directors affords reasonable grounds for belief that its business will be carried on in accordance with law and with integrity and honesty.
4. The applicant is not carrying on activities that are, or will be, if the applicant is licensed, in contravention of the Act or the regulations or the codes, orders or rules issued or made by the Board.

In reviewing the licence renewal application, Board staff has considered Access Gas' technical capability and financial position, past conduct and the background of key individuals in the organization.

As stated in the renewal application, Access Gas intends to continue to operate as a gas marketer to low-volume consumers in Ontario. [REDACTED]

[REDACTED]

According to the evidence provided with the application and Access Gas' response to Board staff interrogatory #5, Board staff submits that Access Gas can reasonably be expected to be financially responsible in the conduct of its business.

Board staff's interrogatories to Access Gas sought to further the record with respect to the role of the key individuals named in the renewal application. Staff also sought to further the record on Access Gas' plan to ensure compliance with its legal and regulatory obligations if the licence renewal was granted, including intended services and market activity.

Board staff conducted a review of all key individuals listed in Access Gas' renewal application and no issues have been identified. [REDACTED]

[REDACTED]

In response to Board staff interrogatory #6, which queried intended services and market activity, the applicant stated that,

- [REDACTED]
- [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
- [REDACTED]

Access Gas also provided a detailed description of the policies, processes and procedures in place or to be put in place to ensure compliance.

Access Gas' responses to the interrogatories reasonably addressed Board staff's concerns. Accordingly, based on the evidence provided with the licence renewal application, Board staff is not recommending any restrictions or conditions on the applicant's gas marketer licence, if granted by the Board.

All of which is respectfully submitted.