



April 4, 2014

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street
Toronto, Ontario
M4P 1E4

Attention: Kirsten Walli, Board Secretary

RE: City of Kingston Gas Marketer Licence GM-2009-0051 - Term Extension Request

Background

The Corporation of the City of Kingston filed an application (EB-2014-0051) on February 20, 2014 with the Ontario Energy Board (OEB) for a renewal of its gas marketer licence GM-2009-0051 (the Application). The current gas marketer licence is valid until May 24, 2014.

The Corporation of the City of Kingston is a municipally owned gas distributor that provides only a default (non-contract) system gas commodity supply to its customers. The City owns and operates a natural gas distribution system for which the rates are fixed by the City of Kingston under the *Public Utilities Act*.

The Application content provided was consistent with the previous gas marketer application for the current licence that had been approved by the OEB. On March 4, 2014 the OEB issued an "incomplete" acknowledgement letter (Letter1) for the Application identifying certain incomplete issues and indicated that the Application was to be re-filed. The re-file required further City of Kingston legal review and again execution of the Application. The City of Kingston re-filed the Application March 28, 2014 that addressed the incomplete issues specified in the Letter1. Availability of the key individuals for document execution impacted the date the Application could be re-filed.

On April 2, 2014 a second "incomplete" acknowledgement letter (Letter2) for the Application was issued by the OEB in which a further issue was identified. It is anticipated that evidence to resolve this further issue identified in Letter2 will be filed with the OEB by April 7, 2014.

It is the City of Kingston understanding that an application filed with the OEB cannot be processed until it is accepted by the OEB as complete; that is, the process clock stops until necessary evidence is filed. Hence assuming the Application is accepted complete early in April 2014, this leaves a relatively short timeframe of 7 weeks for processing and a decision to be rendered prior to the current licence expiry.

The City of Kingston gas marketer licence expires on May 24, 2014. The current licence provides that the term may be extended by the OEB and states the following:

"9 Term of Licence

*9.1 This licence shall take effect on May 25, 2009 and expire on May 24, 2014. **The term of this Licence may be extended by the Board.**"*

p. 3, GM-2009-0051

Term Extension Request

For the reasons outlined below, the Corporation of the City of Kingston respectfully requests an extension of the term of the current gas marketer licence GM-2009-0051 to when the OEB's decision on its gas marketer licence renewal Application (EB-2014-0051) is issued:

- The Corporation of the City of Kingston is a municipally owned gas distributor that provides only a default (non-contract) system gas commodity supply to its customers;
- The City of Kingston's current gas marketer licence expires in less than two months;
- That the gas marketer licence renewal application has yet to be accepted as complete;
- That the process and timeline for the proceeding has yet to be set out by the OEB and is contingent upon complete acceptance;
- That the OEB may not have opportunity to render a decision and order regarding the City of Kingston's gas marketer licence renewal by May 24, 2014; and
- That the current gas marketer licence, Section 9, provides that the term may be extended by the OEB.

Respectfully submitted,



Nancy Taylor
Vice-President