



EB-2013-0418

IN THE MATTER OF the *Ontario Energy Board Act*,
1998, S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF an application by Savers
Energy Inc. for an electricity retailer licence.

By delegation, before: Theodore Antonopoulos

DECISION AND ORDER

May 15, 2014

Savers Energy Inc. ("SaversEnergy") filed a complete application on January 21, 2014 with the Ontario Energy Board under section 60 of the *Ontario Energy Board Act, 1998* (the "Act") for an electricity retailer licence. The Board assigned the application file number EB-2013-0418.

The Board issued a Notice of Application and Hearing on February 6, 2014, inviting interventions and comments on the application. No parties responded to the Notice. Board staff participated in the hearing. Board staff filed written interrogatories on February 28, 2014. SaversEnergy responded to the interrogatories on March 11, 2014. Board staff filed a submission on March 26, 2014. SaversEnergy did not file a reply submission.

Board Findings

In order to obtain a Board licence to retail electricity, an applicant must establish that it meets the minimum requirements set out in the O. Reg. 90/99 "Licence Requirements – Electricity Retailers and Gas Marketers" made under the Act:

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 OEB Act or the regulations or the codes, orders or rules issued or made by the Board.

In electricity retailer licence applications, key areas for consideration by the Board include the financial position, technical capability and the conduct of the applicant. In its submission, Board staff submitted that SaversEnergy can reasonably be expected to be financially responsible in the conduct of its business and has adequate technical capabilities to operate in the Ontario market. SaversEnergy has not previously been licensed in Ontario and has no past history of conducting business in Ontario. Board staff queried the applicant's plans to ensure compliance with its legal and regulatory obligations. In its reply to Board staff interrogatory #2, the applicant provided a detailed description of the policies, processes and procedures in place or to be put in place to ensure compliance. I have reviewed the responses and in my view the Applicant has demonstrated its awareness of all legal and regulatory obligations and has established the appropriate policies, processes and procedures, and if implemented appropriately, should ensure compliance with applicable legal and regulatory requirements.

Requested Trade Names

In its application SaversEnergy requested that trade names SaversPower and SaversGas be added to Schedule 1 of its licence. I have no concerns adding trade name SaversPower to Schedule 1 of the licence as this trade name is reflective of business activity the Applicant will be pursuing under the electricity retailer licence. However, trade name SaversGas will not be added to the licence as this trade name implies a gas marketing activity, for which the applicant is not authorized under the electricity retailer licence.

Based on the evidence, I find that it is in the public interest to grant SaversEnergy an electricity retailer licence under Part V of the Act.

IT IS THEREFORE ORDERED THAT:

1. The application for an electricity retailer licence is granted, on such conditions as are contained in the attached licence.

DATED at Toronto, May 15, 2014

ONTARIO ENERGY BOARD

Original signed by

Theodore Antonopoulos
Manager, Electricity Rates and Accounting