



EB-2014-0045

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 Powered
Connections Inc. DBA PCI Energy for a gas marketer
licence.

By delegation, before: Jennifer Lea

DECISION AND ORDER

July 24, 2014

Powered Connections Inc. DBA PCI Energy ("PCI Energy") filed a complete application on April 3, 2014 with the Ontario Energy Board under section 50 of the *Ontario Energy Board Act, 1998* (the "Act") for a gas marketer licence. The Board assigned the application file number EB-2014-0045.

The Board issued a Notice of Application and Written Hearing on April 24, 2014. Board staff filed written interrogatories on May 14, 2014. PCI Energy responded to Board staff's interrogatories on May 29, 2014. Board staff filed a submission on the application on June 12, 2014. PCI Energy did not file a reply submission.

Board staff submitted that PCI Energy has adequate technical and financial capabilities to operate effectively in the Ontario market.

The Board also considers the past conduct of an applicant, or of its officers and directors, when deciding whether to grant a gas marketer licence. PCI Energy has not previously been licensed as a gas marketer in Ontario and therefore has no past history

of marketing natural gas in Ontario. However, Board staff submitted that PCI Energy's interrogatory responses provided a detailed description of the policies, processes and procedures in place, or to be put in place, to ensure compliance with its legal and regulatory requirements if licensed. No issues were identified with the key individuals involved in PCI Energy, and Board staff submitted that these individuals have extensive experience in the energy sector.

Based on the evidence and submission on the record, I find that it is in the public interest to grant PCI Energy a gas marketer licence under Part IV of the Act.

IT IS THEREFORE ORDERED THAT:

The application for a gas marketer licence is granted, on such conditions as are contained in the attached licence.

DATED at Toronto, July 24, 2014

ONTARIO ENERGY BOARD

Original Signed By

Jennifer Lea
Counsel, Special Projects



Gas Marketer Licence

GM-2014-0045

**Powered Connections Inc. DBA PCI
Energy**

Valid Until

July 23, 2019

Original signed by

Jennifer Lea
Counsel, Special Projects
Ontario Energy Board
Date of Issuance: July 24, 2014

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

Commission de l'énergie de l'Ontario
C.P. 2319
2300, rue Yonge
27e étage
Toronto ON M4P 1E4

Powered Connections Inc. DBA PCI Energy
Gas Marketer Licence GM-2014-0045

	Table of Contents	Page No.
1	Definitions	1
2	Interpretation	1
3	Authorization	1
4	Obligation to Comply with Legislation and Regulations	1
5	Obligation to Comply with Codes	2
6	Agent for Service.....	2
7	Provision of Information to the Board.....	2
8	Customer Complaint and Dispute Resolution	2
9	Term of Licence	2
10	Fees and Assessments.....	2
11	Communication	2
12	Copies of the Licence.....	3
	SCHEDULE 1 AUTHORIZED TRADE NAMES.....	4
	SCHEDULE 2 SPECIAL CONDITIONS	5

1 Definitions

In this Licence:

"**Act**" means the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B;

"**ECPA**" means the *Energy Consumer Protection Act, 2010*, S.O. 2010, c. 8;

"**low-volume consumer**" means a person who annually uses less than 50,000 cubic meters of gas;

"**Licensee**" means Powered Connections Inc. DBA PCI Energy;

"**Regulation**" means regulations made under the Act or the ECPA.

2 Interpretation

- 2.1 In this Licence, words and phrases shall have the meaning ascribed to them in the Act or the ECPA. Words or phrases importing the singular shall include the plural and vice versa. Headings are for convenience only and shall not affect the interpretation of this Licence. Any reference to a document or a provision of a document includes an amendment or supplement to, or a replacement of, that document or that provision of that document. In the computation of time under this Licence, where there is a reference to a number of days between two events, they shall be counted by excluding the day on which the first event happens and including the day on which the second event happens. Where the time for doing an act expires on a holiday, the act may be done on the next day that is not a holiday.

3 Authorization

- 3.1 The Licensee is authorized, under Part IV of the Act, and subject to the terms and conditions set out in this Licence:
- a) to sell or offer to sell gas to a low-volume consumer;
 - b) to act as the agent or broker for seller of gas to a low-volume consumer; and
 - c) to act or offer to act as the agent or broker of a low-volume consumer in the purchase of gas.
- 3.2 The Licensee is authorized to conduct business in the name under which this Licence is issued, or any trade name(s) listed in Schedule 1.

4 Obligation to Comply with Legislation and Regulations

- 4.1 The Licensee shall comply with all applicable provisions of the Act, the ECPA and the Regulations except where the Licensee has been exempted from such compliance by regulation.

5 Obligation to Comply with Codes

- 5.1 The Licensee shall at all times comply with all applicable provisions of the Code of Conduct for Gas Marketers, as issued and amended by the Board from time to time under Part III of the Act.
- 5.2 This Licensee shall:
- a) make a copy of the Code available for inspection by members of the public at its head office and regional offices during normal business hours; and
 - b) provide a copy of the Code to any person who requests it. The Licensee may impose a fair and reasonable charge for the cost of providing copies.

6 Agent for Service

- 6.1 If the Licensee does not have an office or other place of business in Ontario, the Licensee shall ensure the continuing appointment at all times of an individual who is a resident of Ontario and is at least 18 years old, or a corporation that has its head office or registered office in Ontario, as the Licensee's agent for service in Ontario on whom service of process, notices or other documentation may be made.

7 Provision of Information to the Board

- 7.1 The Licensee shall maintain records of and provide, in the manner and form determined by the Board, such information as the Board may require from time to time.
- 7.2 Without limiting the generality of paragraph 7.1, the Licensee shall notify the Board of any material change in circumstances that adversely affects or is likely to adversely affect the business, operations or assets of the Licensee as soon as practicable, but in any event no more than twenty (20) days past the date upon which such change occurs.

8 Customer Complaint and Dispute Resolution

- 8.1 The Licensee shall participate in a consumer complaints resolution process selected by the Board.

9 Term of Licence

- 9.1 This Licence shall take effect on July 24, 2014 and expire on July 23, 2019. The term of this Licence may be extended by the Board.

10 Fees and Assessments

- 10.1 The Licensee shall pay all fees charged and amounts assessed by the Board.

11 Communication

- 11.1 The Licensee shall designate a person that will act as a primary contact with the Board on matters related to this Licence. The Licensee shall notify the Board promptly should the contact details change.

- 11.2 All official communication relating to this Licence shall be in writing.
- 11.3 All written communication is to be regarded as having been given by the sender and received by the addressee:
- a) when delivered in person to the addressee by hand, by registered mail, or by courier;
 - b) ten (10) business days after the date of posting, if the communication is sent by regular mail; or
 - c) when received by facsimile transmission by the addressee, according to the sender's transmission report.

12 Copies of the Licence

- 12.1 The Licensee shall:
- a) make a copy of this Licence available for inspection by members of the public at its head office and regional offices during normal business hours; and
 - b) provide a copy of this Licence to any person who requests it. The Licensee may impose a fair and reasonable charge for the cost of providing copies.

SCHEDULE 1 AUTHORIZED TRADE NAMES

1. PCI Energy

SCHEDULE 2 SPECIAL CONDITIONS