



Ontario Energy Board Commission de l'énergie de l'Ontario

DECISION AND ORDER

EB-2016-0026

EN-POWERED INC.

Application for a Gas Marketer Licence

BY DELEGATION, BEFORE: **Peter Fraser**
Vice President, Industry Operations & Performance

June 9, 2016

Decision and Order

En-Powered Inc. filed an application on January 25, 2016 with the Ontario Energy Board (OEB), under section 50 of the *Ontario Energy Board Act, 1998* for a Gas Marketer Licence. The licence would allow the applicant to market natural gas to low volume consumers in Ontario.

A Notice of Application and Written Hearing was posted on the OEB's website on April 19, 2016. The Notice provided time for interrogatories and submissions on the application evidence, as well as responses from the applicant. No parties responded to the Notice and the Written Hearing.

This Decision and Order is being issued by Delegated Authority, pursuant to Section 6 of the Act.

After considering the application, I find it to be in the public interest to issue a Gas Marketer Licence to En-Powered Inc. I am issuing this Gas Marketer Licence for a period of two years. As a new entrant to the market, the applicant should use the next two years to demonstrate that it is a reliable participant in the natural gas market.

IT IS ORDERED THAT:

1. The application for a Gas Marketer Licence is granted, on such conditions as are contained in the attached Licence.

DATED at Toronto, June 9, 2016

ONTARIO ENERGY BOARD

Original Signed By

Peter Fraser
Vice President, Industry Operations & Performance



Gas Marketer Licence

Agent Only

GM-2016-0026

En-Powered Inc.

Valid Until

June 8, 2018

Original signed by

Peter Fraser
Vice President, Industry Operations and Performance
Ontario Energy Board
Date of Issuance: June 9, 2016

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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

1 Definitions

In this Licence:

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

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

“**Licensee**” means En-Powered Inc.;

“**regulation**” means a regulation made under the Act.

2 Interpretation

- 2.1 In this Licence, words and phrases shall have the meaning ascribed to them in the Act. 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 act as the agent or broker for a seller of gas to a low-volume consumer; and
 - b) 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 and regulations under the Act 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 June 9, 2016 and expire on June 8, 2018. 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

None