



July 21, 2016

Ms. Kirsten Walli
Attention: Board Secretary
Ontario Energy Board
P.O Box 2319
27th Floor
2300 Yonge Street
Toronto, ON M4P 1E4
Email – BoardSec@ontarioenergyboard.ca

Sent via EMAIL & COURIER

Re: Ontario Energy Board File Number EB-2016-0226
Xoom Energy Ont, ULC – Application for Natural Gas Marketer License

Dear Ms. Walli,

Please accept this letter as a request for intervenor status on behalf of Planet Energy (Ontario) Corp. ["Planet Energy"] with respect to the abovementioned application for a Gas Marketer license by Xoom Energy Ont, ULC ("Xoom Energy").

Planet Energy is interested in participating in this proceeding because it is a licensed gas marketer and it has a contractual relationship with Xoom Energy's affiliate, All Communications Network of Canada ("ACN").¹ More specifically:

- ACN, as the Board is aware, is a multi-level marketing company.
- Planet Energy has a Sales Agency Agreement (the "Agreement") with ACN, whereby ACN provides various marketing services to Planet Energy (please see web link http://acncanadaenergy.ca/en/ecpa_signup/rep_id_validation). The Agreement between Planet Energy and ACN expires on November 9, 2016.
- Pursuant to the Agreement, ACN's sales representatives have promoted Planet Energy's energy products to low-volume energy customers in Ontario and customers have entered into gas marketing agreements with Planet Energy.
- Xoom Energy's gas marketing license application indicates that it intends to commence operations in Ontario as of September 1, 2016 (Xoom Energy also provides energy products and

¹ Xoom Energy is affiliated with ACN via common ownership and directorships (please see Nova Scotia Corporate directory at <https://rjsc.gov.ns.ca/rjsc/> and search for Xoom Energy and ACN).

services to ACN in the United States and Alberta (please see <http://acncompass.com/energy/>, <http://acncompass.ca/16290/> and <https://vimeo.com/168836680>)).

Planet Energy wishes to participate in this proceeding to ensure that the Board is properly informed of the relationship between Planet Energy and ACN and the parties' plans to terminate that relationship. Further, Planet Energy wishes to ensure that as part of Xoom Energy's proposed licensing and entry into Ontario (and the termination of the relationship between Planet Energy and Xoom Energy's affiliate, ACN) that all customer-related issues are appropriately addressed and that there are no miscommunications to current or prospective customers.

Planet Energy intends to actively participate in this proceeding by, among other things, submitting any necessary evidence or argument. Planet Energy therefore requests full intervenor status.

Planet Energy does not intend to seek an award of costs in relation to its participation.

Please address all communications to the undersigned.

All of which is respectfully submitted.

Sincerely,

[Original signed by]

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cc. Xoom Energy Ont, ULC