

August 5, 2016

VIA FEDEX

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

**RE: Ontario Energy Board File Number EB-2016-0226 and EB-2016-0227
XOOM Energy Ont, ULC – Application for Natural Gas Marketer License and Application for an Electricity
Retailer License**

Please accept this letter in response to Planet Energy (Ontario) Corp.'s ("Planet Energy's") letter to the Ontario Energy Board (the "OEB") dated July 21, 2016 requesting intervenor status in XOOM Energy Ont, ULC's ("XOOM's") Natural Gas Marketer (Ref. EB-2016-0226) and Electricity Retailer (Ref. EB-2016-0227) license applications ("Applications").

Planet Energy's issue is purely a commercial issue unrelated to XOOM's Applications and should have no bearing on the OEB's review of the Applications. XOOM markets and promotes its products through various sales channels and sales partners. The company referred to in Planet Energy's letter is but one of XOOM's channel partners. The purported issue identified in Planet Energy's letter only serves to prevent XOOM from entering into the Ontario market and engaging in fair competition as allowed by the *Ontario Energy Board Act*, the *Energy Consumer Protection Act*, and the OEB.

Moreover, OEB natural gas marketer and electricity retailer license applications are not the place for competitors to address their commercial grievances. Accordingly, Planet Energy should not be granted intervenor status solely on the basis of the "interest" they have provided to the OEB. Indeed, this "interest" is solely commercial and only relates to how the existence of a competitor might impact Planet Energy's commercial business. This is not a legitimate interest sufficient to merit intervenor status in XOOM's Applications. As such, the Board should reject Planet Energy's application to be an intervenor in the Applications.

We trust that this letter provides the Board with sufficient information to dismiss Planet Energy's concerns and request to intervene so that XOOM's Applications can be processed expeditiously.

Respectfully,

A handwritten signature in blue ink, reading "Michelle W. Harding".

Michelle Harding
Secretary and General Counsel
XOOM Energy Ont, ULC