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September 14, 2016

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, Suite 2700
Toronto ON M4P 1E4

Dear Ms. Walli:

**Re: Enryte Gas Inc.
Application for Gas Marketer Licence
OEB File Number EB-2016-0197**

In accordance with the Notice of Application and Written Hearing, please find enclosed OEB staff's submission filed in the above mentioned application.

Yours truly,

Original signed by

Irina Kuznetsova
Case Manager

Attachment

OEB Staff Submission

Enryte Gas Inc.

(Enryte Gas)

Gas Marketer Licence Application

EB-2016-0197

September 14, 2016

THE PROCEEDING

On July 14, 2016, Enryte Gas filed a complete application with the Ontario Energy Board under section 50 of the *Ontario Energy Board Act, 1998* (the Act) for a gas marketer licence.

On July 28, 2016, the OEB issued a Notice of Application and Written Hearing (the Notice). No parties responded to the Notice. In that Notice, the OEB set out dates for the filing of interrogatories, responses to the interrogatories and written submissions. In accordance with the timelines set out in the Notice, on August 19, 2016, OEB staff filed interrogatories on the application in order to gather additional information required for the OEB's final determination of the licence application. On September 2, 2016, Enryte Gas filed responses to OEB staff interrogatories.

THE APPLICANT

As stated in the application, Enryte Gas intends to operate as a gas marketer in Ontario. The applicant was incorporated on March 23, 2016 and intends to market natural gas to low volume residential customers in Ontario.

STAFF SUBMISSION

In order to obtain a licence to market natural gas to low-volume consumers from the OEB, the 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. These requirements include:

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

In assessing Enryte Gas's gas marketer licence application, OEB staff considered the entire application and in particular the financial position and technical capability of the applicant, an understanding by Enryte Gas of its legal and regulatory obligations in Ontario and the background of the key individuals in the company.

Financial Viability

According to the evidence provided with the application, OEB staff submits that Enryte Gas can reasonably be expected to be financially responsible in the conduct of its business.

Technical Capability

OEB staff submits that according to the application Enryte Gas has adequate technical resources with appropriate qualifications to market natural gas.

Conduct

OEB staff's interrogatories to Enryte Gas sought to further the record on Enryte Gas's plan to ensure compliance with its legal and regulatory obligations if the applicant were licensed. As the applicant is a corporation, OEB staff conducted a review of all key individuals listed in Enryte Gas's application and no issues have been identified.

OEB staff submits that Enryte Gas has provided a detailed description of the policies, processes and procedures in place or to be put in place to ensure compliance.

CONCLUSION

Enryte Gas's responses to the interrogatories reasonably addressed OEB staff's concerns. Enryte Gas has not previously been licensed as a gas marketer in Ontario.

Based on the evidence provided with the application and responses to interrogatories, OEB staff supports the granting of a gas marketer licence to Enryte Gas and is not recommending any restrictions or conditions on the licence.

All of which is respectfully submitted.