

BY EMAIL

June 9, 2017
File No.: 127353.1001

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

Dear Ms. Walli:

**Re: EB-2016-0385 – Planet Energy (Ontario) Corp. – Application for Electricity
Retailer Licence Renewal**

We are writing to inquire about the status of Planet Energy (Ontario) Corp.'s ("**Planet Energy**") licence renewal application. We are concerned because Planet Energy's current licence (EB-2011-0409) expires on June 20, 2017.

We previously brought this matter to the Board's attention, most recently by email dated May 23, 2017 to the Board's case manager, Irina Kuznetsova (copy of emails with Ms. Kuznetsova enclosed for ease of reference). We have had no response to this email which was sent more than two weeks ago.

We do not understand the delay in issuing a decision granting a renewal of Planet Energy's licence application as, among other things:

- Planet Energy filed its licence application on December 28, 2016. The Board's performance standard for licence applications conducted by way of written hearing is 130 days. It has now been 163 days since Planet Energy's licence application was filed on December 28, 2016.
- The Board's January 13, 2017 Letter of Direction stated that: "The Ontario Energy Board (OEB) has completed a preliminary review of your application. The OEB expects to render decision and/or order in this application on or about April 27, 2017." One and a half months have elapsed since the April 27, 2017 expected issuance date.
- Planet Energy's licence application attracted no interventions and Board staff was supportive of Planet Energy's licence application. Board staff stated, among other things, that:

An important factor in the OEB's review of a licence application is the applicant's past conduct. According to the OEB's records, Planet Energy has a relatively low level of complaints, within or below average among licence retailers and gas marketers. ...

...

Conclusion

In consideration of the evidence filed, OEB staff is of the view that Planet Energy has the adequate technical and financial capabilities to operate effectively in the Ontario market. OEB staff is of the view that Planet Energy has the appropriate systems, policies, procedures and controls in place to comply with its statutory and regulatory obligations.

- The close of submissions in this proceedings was March 21, 2017, the date by which Planet Energy was required to file any reply (Planet Energy did not file reply submissions). It has been approximately two and a half months since the close of submissions.
- The Board recently issued decisions in respect of two electricity retail licence applications.¹ Both applications were for new licences; the licence applications were filed approximately two months after Planet Energy's application was filed; and, the Board issued decisions almost a month ago. Both applications were processed in approximately three months, as compared Planet Energy's application which now stands at 5 ½ months.

We request that you promptly bring this letter to the attention of the Board panel seized with adjudicating this matter so that a decision may be rendered prior to the expiry of Planet Energy's licence on June 20, 2017.

Yours truly,

A handwritten signature in black ink, appearing to read "J. Small".

Jordan Small
Vice President, Regulatory Affairs & Compliance
Planet Energy (Ontario) Corp.

cc: Glenn Zacher, Stikeman Elliott, LLP

¹ See Gas Ontario Inc., EB-2017-0093; and GC Project Inc., EB-2017-0098.

Jordan Small

From: Jordan Small
Sent: May-23-17 10:31 AM
To: 'Irina Kuznetsova'
Subject: RE: Planet Energy - IMPORTANT

Good Morning Irina,

Thank you.
Do we know why there is a delay at this point in time?

Regards,

Jordan

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From: Irina Kuznetsova [mailto:Irina.Kuznetsova@oeb.ca]
Sent: May-23-17 10:16 AM
To: Jordan Small <JSmall@planetenergy.ca>
Subject: RE: Planet Energy - IMPORTANT

Hi Jordan,

I found out that there is a technical glitch and our IT team is working to resolve it.

With respect to the status of your application, it is with the decision maker and, I hope, the decision will be issued in the next couple of weeks (certainly before expiry of your current licence).

Thanks,
Irina

From: Jordan Small [<mailto:JSmall@planetenergy.ca>]
Sent: May-23-17 9:16 AM
To: Irina Kuznetsova
Subject: RE: Planet Energy - IMPORTANT
Importance: High

Good Morning Irina,

In follow up to the below, we're getting questions pertaining to our licence and as applicable our customers. Including in these questions is Hydro Ottawa, who have stated to us that they don't see our licence renewal posted on the following OEB page:

Can you please advise on why Planet Energy is not posted on the following page?
Can you also advise on the current status, thank you.

Regards,



Stay connected with us...



Jordan Small

Vice President, Regulatory Affairs & Compliance

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-----Original Message-----

From: Jordan Small

Sent: May-19-17 4:51 PM

To: Irina Kuznetsova <Irina.Kuznetsova@ontarioenergyboard.ca>

Subject: Planet Energy

Hi Irina,

Been awhile since we talked so I hope everything is going well.

I just wanted to touch base with you regarding Planets license and when we may expect that to be released.

I hope that you have a great weekend.

Regards,

Jordan Small

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