



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

DECISION AND ORDER

EB-2016-0357 & EB-2016-0358

CANADIAN ENERGY PROTECTION CORP.

Applications for an Electricity Retailer Licence and a Gas Marketer Licence

BY DELEGATION,

BEFORE: **Brian Hewson**
Vice President, Consumer Protection & Industry Performance

June 15, 2017

INTRODUCTION AND SUMMARY

Canadian Energy Protection Corp. applied for a renewal of its gas marketer licence (GM-2014-0342) and electricity retailer licence (ER-2014-0343), each of which is set to expire July 31, 2017. For the reasons set out below, the applications are approved.

THE PROCESS

Canadian Energy Protection Corp. (CEPC) filed an electricity retailer licence application under section 60 of *Ontario Energy Board Act, 1998* (OEB Act) and a gas marketer licence application under section 50 of the OEB Act on December 5, 2017.

On January 31, 2017, CEPC filed a letter requesting an extension to the term of the licences, pending the final determination of its renewal applications. On February 27, 2017, the Ontario Energy Board (OEB) granted a short-term extension to the applicant's licences. The OEB combined the applications into one proceeding, pursuant to section 21(5) of the OEB Act.

The OEB issued a combined Notice of Applications and Written Hearing (Notice) on March 7, 2017, inviting persons to intervene in the hearing or to comment on the applications. No one responded to the Notice. OEB staff participated in the hearing and filed written interrogatories on March 31, 2017. CEPC responded to OEB staff's interrogatories on April 21, 2017. OEB staff filed a submission on the application on May 1, 2017. CEPC did not file a reply submission.

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

FINDINGS

An applicant for the issuance or renewal of a licence that allows for the retailing of electricity (an electricity retailer licence) or the marketing of gas (a gas marketer licence) to residential or small business consumers must meet the minimum requirements set out in Ontario Regulation 90/99 "Licence Requirements – Electricity Retailers and Gas Marketers", made under the OEB Act:

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 rules made under Part III of the Act.
5. If the applicant is an individual, the applicant is at least 18 years old.

Ontario Regulation 90/99 also specifies that if any of the foregoing requirements are not met by the applicant, the licence shall not be issued or renewed.

In its submission on the applications, OEB staff stated that CEPC meets the requirements for the renewal of its electricity retailer licence and gas marketer licence. In OEB staff's view, the applicant can reasonably be expected to be financially responsible in the conduct of its business and has adequate technical capabilities to operate in the Ontario market. With respect to the applicant's conduct, OEB staff noted that CEP has the appropriate systems, policies, procedures and controls in place to comply with its statutory and regulatory obligations.

CEPC's applications for renewal of its gas marketer and electricity retailer licences are granted. When evaluating an application for an electricity retailer licence or a gas marketer licence, the OEB focuses its consideration on the requirements set out in Ontario Regulation 90/99; in particular, the applicant's financial position, technical capability to operate in the market, and conduct. The OEB finds that the record in this case indicates that CEPC meets these requirements.

IT IS ORDERED THAT:

1. The application for a gas marketer licence is granted, on such conditions as are contained in the attached licence.

2. The application for an electricity retailer licence is granted, on such conditions as are contained in the attached licence.

DATED at Toronto, June 15, 2017

ONTARIO ENERGY BOARD

Original Signed By

Brian Hewson
Vice President, Consumer Protection & Industry Performance