



EB-2016-0380

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c. 15 (Schedule B);

AND IN THE MATTER OF a Notice of Intention to Make an
Order under section 112.4 of the *Ontario Energy Board Act*,
1998 for Revocation of a Licence against Ensqr Corporation
(Licence Number ES-2012-0461).

PROCEDURAL ORDER NO. 2

September 29, 2017

On February 1, 2017, the Ontario Energy Board (OEB), on its own motion under section 112.2 of the *Ontario Energy Board Act, 1998 (Act)*, issued a Notice of Intention (Notice of Intention) to make an Order under section 112.4 of the Act to revoke electricity unit sub-metering licence ES-2012-0461 issued to Ensqr Corporation (Ensqr).

Allegations of non-compliance are set out in the Notice of Intention.

By way of a letter dated February 14, 2017, Ensqr requested that the OEB hold a hearing in this matter.

Notice of Hearing and Procedural Order No. 1

On April 25, 2017, the OEB issued a combined Notice of Hearing and Procedural Order No. 1, which set the date for the oral hearing. The OEB held an oral hearing on July 13, 2017.

Parties to this Proceeding

The parties to the proceeding are Ensqr and the members of OEB staff assigned to

bring these matters forward (the Enforcement Team).

Interim Decision and Order

On August 17, 2017 the OEB issued its Interim Decision and Order. The Interim Decision and Order stated that the OEB is reserving its final decision in this proceeding until it has more information on the contractual relationship between Ensqr and the building owner of the one location in which Ensqr provides unit sub-metering services.

The Interim Decision and Order ordered that Ensqr do the following:

1. File an update on contractual discussions with the building owner.
2. File an update on its technical ability to comply with sections 5 and 6 of its Unit Sub-Metering Licence (ES-2012-0461), and specifically with regard to its ability to ensure that eligible customers served by Ensqr can be enrolled in the Ontario Electricity Support Program (OESP).
3. Provide the building owner with a copy of the Interim Decision and Order.

On September 15, 2017, Ensqr sent an email to the OEB which provided certain information in response to the OEB's directions set-out in the Interim Decision and Order. In the update, Ensqr stated that it has finalized the unit sub-metering contract with the building owner. Ensqr also stated that a letter was circulated in August, 2017 that told the 12 customers who are eligible for OESP credits that their bills would be credited based upon the approved rate from the first time that they applied for OESP in 2016. Ensqr indicated that a monthly credit has already been provided to these 12 customers. Ensqr asserted that it is now in compliance with sections 5 and 6 of its Unit Sub-Metering Licence.

The Ensqr email message did not include any documentation or other information in support of the assertions made in the message. Accordingly, the OEB has determined that it will require Ensqr to provide certain supporting documentation for its statements, as set out below.

THE OEB ORDERS THAT:

1. Ensqr shall file with the OEB a letter from ICF that indicates whether Ensqr has now completed all the technical milestones associated with

OESP implementation. The letter is to be filed with the OEB on or before October 16, 2017.

2. Ensqr shall file with the OEB a copy of the letter that it has stated was circulated in August 2017 to customers eligible for OESP credits on or before October 16, 2017. Ensqr must ensure that any information which identifies a customer (i.e., customer name, address, and account number) is redacted from the letters.
3. Ensqr shall file with the OEB, on or before October 16, 2017, copies of the bills sent to the 12 current customers referred to in the September 15, 2017 status update, that show that an OESP credit has been applied to each customer account. Ensqr must ensure that any information which identifies a customer (i.e., customer name, address, and account number) be redacted from the bills.
4. Ensqr shall file with the OEB documentation setting out the credits that were provided to customers to account for the time they would have been deemed eligible for OESP since January 1, 2016, on or before October 16, 2017.
5. Ensqr shall file all requested documentation with the OEB and deliver a copy of all documents filed with the OEB on the OEB Enforcement Team Counsel (Mr. Justin Safeyeni, justins@stockwoods.ca)

Any filings may be made by e-mail to the Board Secretary at Boardsec@oeb.ca rather than through the OEB's web portal.

ISSUED at Toronto, September 29, 2017

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary