

STIKEMAN ELLIOTT

Stikeman Elliott LLP Barristers & Solicitors

5300 Commerce Court West, 199 Bay Street, Toronto, Canada M5L 1B9
Tel: (416) 869-5500 Fax: (416) 947-0866 www.stikeman.com

Mel Hogg
Direct: (416) 869-6826
E-mail: mhogg@stikeman.com

BY RESS AND COURIER

June 28, 2017

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

Dear Ms. Walli:

**Re: Planet Energy (Ontario) Corp.
EB-2017-0007**

On behalf of Planet Energy (Ontario) Corp., we enclose copies for filing of the Affidavits of Service and Affidavits of Attempted Service with respect to service of the motion for production of documents from third parties filed by Planet Energy on June 9, 2017.

Service has been effected on:

1. Ms. Roobinet Andrassin on June 7, 2017 at [REDACTED] d [REDACTED] Ontario (please see Affidavit of Service at Tab 1);
2. Ms. Kayvan Nahid on June 8, 2017 at [REDACTED], Ontario (please see Affidavit of Service at Tab 2); and
3. Mr. James MacArthur on June 19, 2017 at [REDACTED], Ontario (please see Affidavit of Attempted Service and Affidavit of Service at Tab 3).

Service has been unsuccessfully attempted on Mr. Robert Hawkins at several addresses as set out in the Affidavits of Attempted Service attached at Tab 4. The address provided for Robert Hawkins by counsel for the Enforcement Team is a mailbox at a UPS Store location. Planet Energy has also sent the Motion Record to Mr. Hawkins by email to [REDACTED] which is an email address used by Board Staff to communicate with Mr. Hawkins. A copy of this email is enclosed at Tab 5 (without attachments).

TORONTO

MONTRÉAL

OTTAWA

CALGARY

VANCOUVER

NEW YORK

LONDON

SYDNEY

Unless otherwise directed by the Board, Planet Energy will serve all further materials to Ms. Roobinet, Mr. Nahid and Mr. MacArthur at the addresses noted above, respectively, and will serve Mr. Hawkins by email to [REDACTED]

Should you have any questions, please do not hesitate to contact me.

Yours truly,



fu: Mel Hogg

MH/dl
Encl.

cc: Justin Safayeni, *Stockwoods*
Michael Bell, *OEB*
Ian Richler, *OEB*
Glenn Zacher, *Stikeman Elliott LLP*

TAB 1

ONTARIO ENERGY BOARD

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

AND IN THE MATTER OF a Notice of Intention to Make an Order for Compliance and Payment of an Administrative Penalty against Planet Energy (Ontario) Corp. (ER-2011-0409) (GM-2013-0269)

AFFIDAVIT OF SERVICE

I, **Mohammed Zubair Sami**, process server of the City of Markham, in the Province of Ontario;

MAKE OATH AND SAY:


1. On June 7, 2017 at 7:16 p.m., I served Roobinet Andrassin with the Motion Record, by leaving a copy with Roobinet Andrassin at [REDACTED], Ontario.
2. I was able to identify the person by means of Verbal Admission.

Sworn before me at the city

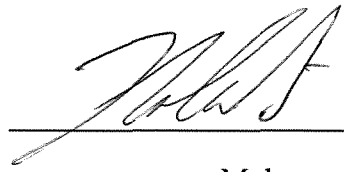
of Toronto

in Province of Ontario

on June 14, 2017



Commissioner for Taking Affidavits



Mohammed Zubair Sami

TAB 2

ONTARIO ENERGY BOARD

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

AND IN THE MATTER OF a Notice of Intention to Make an Order for Compliance and Payment of an Administrative Penalty against Planet Energy (Ontario) Corp. (ER-2011-0409) (GM-2013-0269)

AFFIDAVIT OF SERVICE

I, **Tim Kavanagh**, process server of the City of Thornhill, in the Regional Municipality of York,

MAKE OATH AND SAY:

1. On June 8, 2017 at 12:18 p.m., I served Kaynan Nahid with the Motion Record, by leaving a copy with Kaynan Nahid at [REDACTED], Ontario.
2. I was able to identify the person by means of Verbal Admission.

Sworn before me at the city


of Toronto

in Province of Ontario

on June 14, 2017



Commissioner for Taking Affidavits



Tim Kavanagh

TAB 3

ONTARIO ENERGY BOARD

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

AND IN THE MATTER OF a Notice of Intention to Make an
Order for Compliance and Payment of an Administrative
Penalty against Planet Energy (Ontario) Corp. (ER-2011-0409)
(GM-2013-0269)

AFFIDAVIT OF SERVICE

I, **Mohammed Zubair Sami**, process server of the City of Markham, in the Province of Ontario;

MAKE OATH AND SAY:

1. On June 19, 2017 at 7:55 p.m., I served James MacArthur with the Motion Record, by leaving a copy with James MacArthur at [REDACTED], Ontario.
2. I was able to identify the person by means of Verbal Admission.

Sworn before me at the city

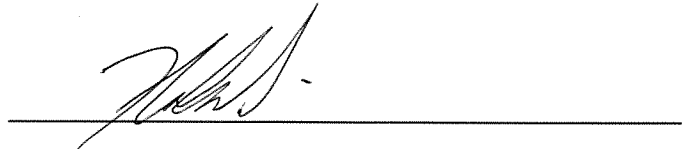
of Toronto

in Province of Ontario

on June 23, 2017



Commissioner for Taking Affidavits



Mohammed Zubair Sami

Sergio Macri, a Commissioner, etc.,
Province of Ontario, for 756671 Ontario Inc. o/a KAP
Litigation Services, and for Process Serving only.
Expires February 28, 2020.

ONTARIO ENERGY BOARD

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


AND IN THE MATTER OF a Notice of Intention to Make an Order for Compliance and Payment of an Administrative Penalty against Planet Energy (Ontario) Corp. (ER-2011-0409) (GM-2013-0269)

AFFIDAVIT OF ATTEMPTED SERVICE

I, **Cameron Gaines**, Process server of the City of Mississauga in the Regional Municipality of Peel;
MAKE OATH AND SAY:

1. On or about the 7th day of June, 2017, I was instructed by Stikeman Elliott LLP, Barristers and Solicitors, to serve a copy of the Motion Record onto James MacArthur at: [REDACTED], Ontario.
2. I was advised by and I do verily believe that Jonathan Brooker, process server employed with KAP Litigation did personally attend at: [REDACTED], Ontario in an attempt to serve James MacArthur with the Motion Record on June 7, 2017 at 7:34 p.m. When he arrived, he did not receive an answer at the door.
3. I was advised by and I do verily believe that Jonathan Brooker, process server employed with KAP Litigation did personally attend at: [REDACTED], Ontario in an attempt to serve James MacArthur with the Motion Record on June 7, 2017 at 8:05 p.m. When he arrived, he did not receive an answer at the door. Left delivery card. He made note of two vehicles on the driveway; [REDACTED] [REDACTED].
4. I was advised by and I do verily believe that Attilio Tornabene, process server employed with KAP Litigation did personally attend at: [REDACTED], Ontario in an attempt to serve James MacArthur with the Motion Record on June 8, 2017 at 7:25 p.m. When he arrived, he spoke to a male individual [REDACTED] who advised that the subject moved to [REDACTED].
5. I was advised by and I do verily believe that Attilio Tornabene, process server employed with KAP Litigation did personally attend at: [REDACTED], Ontario in an attempt to serve James MacArthur with the Motion Record on June 10, 2017 at 1:50 p.m. When he arrived, he spoke to a male individual [REDACTED] who advised that there is a “Jay MacArthur” at this address, but no James. I showed him the photo of the subject, and he confirmed that this is the incorrect address.
6. I make this affidavit for no improper purpose.

Sworn before me at
the city of Toronto
in the Province of Ontario
on June 14, 2017



Commissioner for Taking Affidavits



Cameron Gaines

TAB 4

ONTARIO ENERGY BOARD

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

AND IN THE MATTER OF a Notice of Intention to Make an
Order for Compliance and Payment of an Administrative
Penalty against Planet Energy (Ontario) Corp. (ER-2011-0409)
(GM-2013-0269)

AFFIDAVIT OF ATTEMPTED SERVICE

I, **Achilles Nardelli**, process server of the City of Richmond Hill, in the Regional Municipality of York,

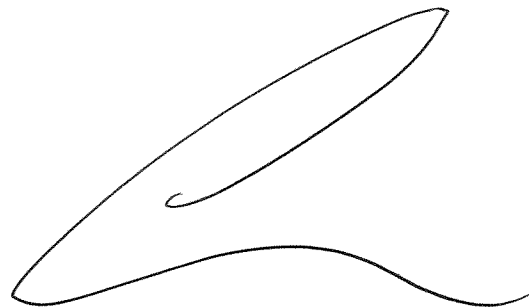
MAKE OATH AND SAY:

1. On or about the 20th day of June, 2017, I was instructed by Stikeman Elliott LLP, Barristers and Solicitors, to serve a copy of the Motion Record onto Robert Hawkins at: [REDACTED], [REDACTED], Ontario.
2. I was advised by and I do verily believe that Levy Goldberg-Gilis, process server employed with KAP Litigation did personally attend at: [REDACTED], Ontario in an attempt to serve Robert Hawkins with the Motion Record on June 20, 2017 at 11:22 a.m. When he arrived, he noticed that the address is a UPS store. He confirmed that the subject owns a mailbox at this location, and left a KAP delivery card in the box.
3. I did personally attempt to call the subject at [REDACTED] (by Service) but received no answer. I left a voicemail message for the subject with KAP's details to contact to arrange for service.
4. I make this affidavit for no improper purpose.

Sworn before me at
the city of Toronto
in the Province of Ontario
on June 23, 2017



Commissioner for Taking Affidavits



Achilles Nardelli

ONTARIO ENERGY BOARD

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

AND IN THE MATTER OF a Notice of Intention to Make an Order for Compliance and Payment of an Administrative Penalty against Planet Energy (Ontario) Corp. (ER-2011-0409) (GM-2013-0269)

AFFIDAVIT OF ATTEMPTED SERVICE

I, **Cameron Gaines**, Process server of the City of Mississauga in the Regional Municipality of Peel;

MAKE OATH AND SAY:

1. On or about the 8th day of June, 2017, I was instructed by Stikeman Elliott LLP, Barristers and Solicitors, to serve a copy of the Motion Record onto Robert Hawkins at [REDACTED], [REDACTED], Ontario.
2. I was advised by and I do verily believe that Levy Goldberg-Gilis, process server employed with KAP Litigation did personally attend at: [REDACTED], Ontario in an attempt to serve Robert Hawkins with the Motion Record on June 8, 2017 at 1:00 p.m. When he arrived, he noticed that the address is “[REDACTED]”. He spoke to a female representative who advised that the subject is a tenant and rents a unit. She advised that for security purposed, she could not give out any further information. Levy then spoke to a representative from “Penske Truck Rental” who advised that the subject does not work there. The other company on-site was “Power Generator”.
3. I was advised by and I do verily believe that Attilio Tornabene, process server employed with KAP Litigation did personally attend at: [REDACTED], Ontario in an attempt to serve Robert Hawkins with the Motion Record on June 8, 2017 at 7:25 p.m. When he arrived, he did not receive an answer at the door. As Attilio was making his noted, a male individual [REDACTED], [REDACTED], pulled into the driveway and advised that the subject was not here. He would not confirm the address or provide any sort of information.
4. I was advised by and I do verily believe that Attilio Tornabene, process server employed with KAP Litigation did personally attend at: [REDACTED], Ontario in an attempt to serve Robert Hawkins with the Motion Record on June 8, 2017 at 7:55 p.m. When he arrived, he spoke to a male individual ([REDACTED]), who confirmed that the subject does reside at this address. He stated that the subject will not be home until at least 3:00 a.m.
5. I was advised by and I do verily believe that Attilio Tornabene, process server employed with KAP Litigation did personally attend at: [REDACTED], Ontario in an attempt to serve Robert Hawkins with the Motion Record on June 10, 2017 at 1:00 p.m. When he arrived, he did not receive an answer at the door. Left delivery card.

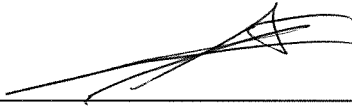
6. I was advised by and I do verily believe that Attilio Tornabene, process server employed with KAP Litigation did personally attend at: [REDACTED], Ontario in an attempt to serve Robert Hawkins with the Motion Record on June 11, 2017 at 1:00 p.m. When he arrived, he did not receive an answer at the door. He noticed that the previously left card was now gone, he then left a new KAP delivery card at the door.
7. I make this affidavit for no improper purpose.

Sworn before me at

the city of Toronto

in the Province of Ontario

on June 14, 2017



Commissioner for Taking Affidavits

Andrew Julian Attisano, a Commissioner, etc.,
Province of Ontario, for 756671 Ontario Inc. o/a
KAP Litigation Services, and for process serving only.
Expires May 4, 2018.


Cameron Gaines

TAB 5

Sofia Casinha

From: Mel Hogg
Sent: Friday, June 16, 2017 4:02 PM
To: [REDACTED]
Cc: Glenn Zacher
Subject: Ontario Energy Board Matter (EB-2017-000)
Attachments: Planet Energy_Motion Record_20170607.pdf

Tracking:	Recipient	Delivery
	[REDACTED]	
	Glenn Zacher	Delivered: 6/16/2017 4:02 PM

Dear Mr. Hawkins,

Attached is a copy of the Motion Record of Planet Energy in the matter of the Ontario Energy Board proceeding No, EB-2017-0007.

Kindly acknowledge acceptance of service by return email.

Thank you,

Mel Hogg
Mel Hogg
Tel : (416) 869-6826
mhogg@stikeman.com