

ONTARIO ENERGY BOARD

)
)
)
)

MONDAY, THE 14th

DAY OF AUGUST 2017

**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).**

ORDER

THIS MOTION was heard this 14th day of August, 2017, at 2300 Yonge St.,

ON HEARING the submissions of counsel for the Ontario Energy Board ("OEB" or "Board") and counsel for Planet Energy (Ontario) Corp. ("Planet Energy"),

1. **THIS PANEL ORDERS** that James MacArthur ("MacArthur") produce to Planet Energy, without delay and by not later than [insert date], all documents (in paper, electronic or other form) in his power, possession or control relevant to the matters in issue in this proceeding, including any and all:

- a) training, testing, marketing, promotional or sales documentation relating to Planet Energy products or services;
- b) communications and recording of communications, including emails, text messages, facsimile transmissions, letters, notes and other recordings

(collectively “communications”) with Planet Energy or All Communications Network of Canada (“ACN”);

- c) communications with Robert Hawkins or any other persons to whom MacArthur marketed Planet Energy products or services;
- d) communications with the OEB or any other regulatory agency;

2. **THIS PANEL ORDERS** that Kayvan Nahid (“Nahid”) produce to Planet Energy, without delay and by not later than [insert date], all documents (in paper, electronic or other form) in his power, possession or control relevant to the matters in issue in this proceeding, including any and all:

- a) training, testing, marketing, promotional or sales documentation relating to Planet Energy products or services;
- b) communications and recording of communications, including emails, text messages, facsimile transmissions, letters, notes and other recordings (collectively “communications”) with Planet Energy or All Communications Network of Canada (“ACN”);
- c) communications with Roobinet Andrassin or any other persons to whom Nahid marketed Planet Energy products or services;
- d) communications with the OEB or any other regulatory agency;

3. **THIS PANEL ORDERS** that Robert Hawkins produce to Planet Energy, without delay and by not later than [insert date], all documents (in paper, electronic or other form) in his power, possession or control relevant to the matters in issue in this proceeding, including any and all:

- a) documents relating to Planet Energy products or services;
- b) communications and recording of communications, including emails, text messages, facsimile transmissions, letters, notes and other recordings

(collectively "communications") with Planet Energy or All Communications Network of Canada ("ACN");

c) communications with MacArthur;

d) communications with the OEB or any other regulatory agency;

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

EB-2017-0007

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).

ONTARIO ENERGY BOARD

ORDER

STIKEMAN ELLIOTT LLP
Barristers & Solicitors
5300 Commerce Court West
199 Bay Street
Toronto, ON M5L 1B9

Glenn Zacher LSUC #43623P
Tel: (416) 869-5688
gzacher@stikeman.com

Genna Wood LSUC #64287N
Tel: (416) 869-6852
Fax: (416) 947-0866
gwood@stikeman.com

Lawyers for Planet Energy