



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

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## **DECISION AND ORDER**

**EB-2018-0145**

### **ERTH BUSINESS TECHNOLOGIES INC.**

**Application for an Agent Only Electricity Retailer Licence**

**BY DELEGATION,**

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

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**June 14, 2018**

## DECISION AND ORDER

ERTH Business Technologies Inc. (ERTH) filed an electricity retailer (agent only) licence renewal application under section 60 of the *Ontario Energy Board Act, 1998* (OEB Act) on April 4, 2018.

ERTH operates a data clearinghouse, known as the “Hub”, for electronic business transactions between electricity retailers and distributors in the Ontario retail market, connecting distributors and retailers to facilitate retail settlements.

According to the application, ERTH has used and would continue to use its status as an agent only retailer to facilitate the requests and retrieval of historical usage information through the EBT system initiated and requested in writing by its clients. This historical usage information is used to measure and verify energy conservation efforts. ERTH does not intend to sell any electricity products to its clients, it merely requires an agent only retailer licence in order to access data in accordance with both the Retail Settlement Code and authorization duly provided by the clients involved.

In addition to its “Hub” business activities, ERTH intends to provide calculations of customers’ electricity charges for licensed electricity distributors that have been selected to participate in the OEB approved Regulated Price Plan (RPP) pricing pilots.

This Decision and Order is being issued by Delegated Authority without a hearing, pursuant to Section 6 of the OEB Act.

After considering the application and assessing the conduct, technical capability and financial viability of the applicant, the OEB finds that it is in the public interest to grant the application and issue an agent only electricity retailer licence to ERTH Business Technologies Inc.

ERTH is intending to provide billing calculations to licensed electricity distributors as part of the OEB’s approved RPP pricing pilots and will be using individual consumer’s information for that purpose. ERTH’s existing licence requires that it must obtain an individual consumer’s consent before it may use the consumer’s information for any purpose unless the consumer has given their authorization under the Retail Settlement

Code. To enable ERTH to provide the service in relation to the RPP pilots, the following condition will be included in ERTH's licence:

- 3.4 Notwithstanding Section 3.3, the Licensee is permitted to use customer usage information without obtaining the customer's authorization if it is for the sole purpose of calculating the customer's electricity charge for a licensed electricity distributor undertaking an OEB approved Regulated Price Plan (RPP) pricing pilot and if, prior to doing so, the Licensee obtained written confirmation from the licensed electricity distributor that it has the authorization of the consumer to collect the information.

**IT IS ORDERED THAT:**

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

**DATED** at Toronto, June 14, 2018

**ONTARIO ENERGY BOARD**

*Original Signed By*

Brian Hewson  
Vice President, Consumer Protection & Industry Performance