



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

DECISION AND ORDER

EB-2018-0134 & EB-2018-0135

ONTARIO WHOLESALE ENERGY LV INC.

Applications for an Electricity Retailer Licence and a Gas Marketer Licence

BY DELEGATION,

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

August 9, 2018

DECISION AND ORDER

Ontario Wholesale Energy LV Inc. filed two separate applications that deemed complete on April 12, 2018, with the Ontario Energy Board (OEB), under section 50 and section 60 of the *Ontario Energy Board Act, 1998* (OEB Act) for a Gas Marketer Licence and an Electricity Retailer Licence, respectively. The granting of these licences would enable the applicant to market natural gas and retail electricity in Ontario. 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 its website on April 27, 2018. The Notice provided time for interrogatories and submissions on the application evidence, as well as responses from the applicant. No parties responded to the Notice.

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.

After considering the applications, the OEB finds it to be in the public interest to issue a gas marketer Licence and electricity retailer licence to Ontario Wholesale Energy LV Inc. The licences will have a term of two years. This term will give the applicant an opportunity to establish itself as reliable market participant in the Ontario gas marketing and electricity retailing. The two years term will also allow the OEB to assess and review Ontario Wholesale Energy LV Inc.'s experience in the marketplace should it choose to file for renewal of its licences in two years.

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, August 9, 2018

ONTARIO ENERGY BOARD

Original Signed By

Brian Hewson
Vice President, Consumer Protection & Industry Performance