

k2.1

File No. EB-2016-0380

## **ONTARIO ENERGY BOARD**

**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)

## **BRIEF OF PROCEDURAL ORDERS AND PARTIES' RESPONSES**

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

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## **INTERIM DECISION AND ORDER**

**EB-2016-0380**

### **Ensqr Corporation**

**Notice of Intention to Make an Order for Revocation of a Licence against Ensqr Corporation (Licence Number ES-2012-0461)**

**BEFORE: Ken Quesnelle**  
Vice-Chair and Presiding Member

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**August 17, 2017**

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## 1 INTRODUCTION AND PROCESS

On February 1, 2017, the Ontario Energy Board (OEB), on its own motion under section 112.2 of the *Ontario Energy Board Act, 1998* (the Act), issued a 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).

### 1.1 Background

On June 28, 2016, the OEB, on its own motion under section 112.2 of the Act, issued a Notice of Intention to make an Order under section 112.3 and 112.5 of the Act against Ensqr for compliance, including requiring Ensqr to comply with its licence conditions and obligations under the Unit Sub-Metering Code and to pay an administrative penalty in the amount of \$10,000. Previous allegations of non-compliance are provided in Section 1.2 below.

On August 2, 2016, Ensqr provided the OEB with an Assurance of Voluntary Compliance (Assurance), in which Ensqr assured the OEB it would take certain steps to remedy its admitted non-compliance with sections 5 and 6 of the Licence in respect of ensuring that its eligible customers could enroll in the OESP. The OEB accepted the Assurance on August 3, 2016. Details on the Assurance are provided in Section 1.3 below.

Pursuant to section 3 of the Act, an Assurance is an “enforceable provision”. Under section 112.4 of the Act, the OEB may suspend or revoke a licence if it is satisfied that the licensee has contravened an enforceable provision.

Ensqr has not complied with all conditions outlined in the Assurance provided to the OEB. Due to non-compliance, the OEB has initiated this revocation proceeding.

### 1.2 Notice of Intention (EB-2016-0200)

The Notice of Intention set out the following allegations of non-compliance:

1. Ensqr has failed to comply with section 6 of its licence by failing to file certain information with the OEB, in this case its Self-Certification Report, to demonstrate its readiness to implement the Ontario Electricity Support Program (OESP).

2. Ensqr has failed to comply with section 5 of its licence by failing to comply with section 5.3.1 of the Unit Sub-Metering Code which requires Ensqr to apply rate assistance to a consumer's bill when it receives notice that a consumer is eligible for rate assistance under the OESP.

That Notice of Intention also set out the following particulars in support of the allegations of non-compliance:

On August 10, 2015, the OEB issued a notice to all licensed electricity distributors and unit sub-meter providers (Utilities) outlining self-certification requirements to ensure Utilities were undertaking appropriate measures to prepare for the OESP. The OESP, which came into effect on January 1, 2016, requires licensed Utilities to deliver the OESP through the invoices to eligible low-income electricity consumers.

In order to implement the program as of January 1, 2016 the OEB required Ensqr to file a self-certification report on three milestone dates: August 26, 2015, October 9, 2015 and November 30, 2015. Ensqr failed to meet any of the required deadlines.

The impact of failing to self-certify has resulted in the failure to process any applications from consumers for OESP.

### **1.3 Assurance of Voluntary Compliance**

To date, Ensqr has complied with only one of the ten items set out in the Assurance: it paid an administrative monetary penalty of \$5,000.00 on August 19, 2016. Ensqr has not complied with the remaining nine items, namely:

- To submit Self-Certification Reports to demonstrate its readiness to implement the OESP
- To immediately apply rate assistance to a customer's bill when it receives notice that the customer is eligible for rate assistance under the OESP
- To complete the "Self-Validation Portal" demonstrating that it has completed all the technical milestones associated with OESP implementation

- To immediately process the applications for eligible customers waiting for OESP, including a one-time adjustment to account for the time they would have been deemed eligible
- To provide a report to the OEB that includes a list of those customers who are entitled to a credit along with their particulars
- To send a letter to all eligible customers waiting for rate assistance, in the form specified in the Assurance
- To process new applications in a timely manner according to the established and mandated OESP process, and provide OEB staff with a monthly report for August 2016 through to and including February 2017
- To ensure all necessary steps are taken to ensure its website is active with its conditions of service and a link to the OEB's OESP portal
- To take all necessary steps to ensure compliance with the OEB's complaint process

In order to address this matter, the OEB, on its own motion, issued a Notice of Intention on February 1, 2017 to make an Order to revoke the electricity Unit Sub-Metering Licence issued to Ensqr.

#### **1.4 The Process**

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

The parties to the proceeding are Ensqr and the members of OEB staff assigned to bring these matters forward (the OEB Enforcement Team).

The OEB held an oral hearing on July 13, 2017.

## 2 INTERIM DECISION

The OEB has determined that it would not be in the best interests of the customers currently residing at the location identified by the OEB Enforcement Staff to revoke or suspend Ensqr's licence at this time.

Ensqr has not complied with the Assurance it provided to the OEB on August 2, 2016. Ensqr does not refute the OEB Enforcement Team's assertions regarding the non-compliance. However, during the hearing, Ensqr's Director provided Ensqr's explanation as to why it has not complied with the Assurance.

Ensqr provides unit sub-metering services at one location. Ensqr submitted that the primary reason for its non-compliance with the Assurance was that its business relationship with the new building owner at that location was uncertain and for a period of time and thought to have been terminated. Ensqr argued that it did not know for certain that it had a client who needed sub-metering services and that it was required to assemble in accordance with the OEB Assurance<sup>1</sup>.

A licensed unit sub-meterer's capacity to administer requests for the OESP is of utmost importance in that it directly affects vulnerable consumers. It became evident in this proceeding that the residents at this location have not been billed for electricity since October 26, 2016<sup>2</sup>. It also became evident that the residents that have applied for the OESP have been notified that they will receive any benefits due to them once the billing capacity is in place.

The OEB does not consider the current situation to be acceptable. Ensqr does not have a contract to provide unit sub-metering services to the building owner, and customers are not being invoiced for the electricity they are consuming. There are significant issues that arise in this scenario and none of them would be mitigated with the revocation or suspension of Ensqr's licence at this time. A contractual relationship between the building owner and Ensqr should be forged as soon as administratively possible.

Ensqr appears to have been able to overcome the technical barriers to providing full OESP administration, but the OEB will require Ensqr's confirmation in this regard.

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<sup>1</sup> Mr. Gunde Letter – June 8, 2017

<sup>2</sup> Hearing Transcript – July 13, 2017, page 20, line 13



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.

The OEB will require Ensqr to provide an update on the contractual relationship and an update on its technical ability to comply with sections 5 and 6 of the Licence, and particularly as those sections relate to ensuring that eligible customers served by Ensqr can be enrolled in the OESP.

Failure to provide these updates may result in the OEB suspending or revoking Ensqr's unit sub-metering licence.

### 3 ORDER

#### THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Ensqr shall file with the OEB an update on contractual discussions with the building owner by September 15, 2017.
2. Ensqr shall file with the OEB, by September 15, 2017, 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 OESP.
3. Ensqr Corporation must provide the building owner with a copy of this Decision and Order immediately upon receipt of it.

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

**DATED** at Toronto August 17, 2017

**ONTARIO ENERGY BOARD**

Original signed by

Kirsten Walli  
Board Secretary

Ontario Energy  
Board

Commission de l'énergie  
de l'Ontario



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](mailto:justins@stockwoods.ca))

Any filings may be made by e-mail to the Board Secretary at [Boardsec@oeb.ca](mailto: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



# Ensqr Corp.

To

The Ontario Energy Board

Toronto, ON

Subj: EB-2016-0380 PROCEDURAL ORDER NO. 2

Compliance with the order

1. The email response from ICF for processing of OESP files has been attached. There are no new applications from the customers at 31-35 St. Dennis Drive, Toronto, ON. The past applicants have been asked to refile as the past requests have all expired.
2. The letter attached to past bills for status of OESP credits has been attached.
3. The sample bills are attached.
4. The total credits applied till date are as follows

Apt. No.	Name	Start Date	Month till Sep 2017	Amount Till Sep 2017
[REDACTED]	[REDACTED]	Feb-16	18	\$540.00
[REDACTED]	[REDACTED]	Jan-17	8	\$240.00
[REDACTED]	[REDACTED]	Mar-16	16	\$480.00
[REDACTED]	[REDACTED]	Oct-16	10	\$300.00
[REDACTED]	[REDACTED]	Sep-16	11	\$330.00
[REDACTED]	[REDACTED]	Jan-16	18	\$540.00
[REDACTED]	[REDACTED]	Apr-16	15	\$450.00
[REDACTED]	[REDACTED]	Apr-16	15	\$450.00
[REDACTED]	[REDACTED]	Feb-16	17	\$510.00
[REDACTED]	[REDACTED]	Jun-16	14	\$420.00
[REDACTED]	[REDACTED]	Jan-16	18	\$540.00



# Ensqr Corp.

Email from ICF:

Hello Harshal,

Thank you for getting back to us. Please reach out to the Ontario Electric Board regarding this issue. We can't confirm at this time that we can process applications because our system has not received new applications.

Please let me know if you have further questions or concerns.

Regards,

**Tatenda Marongwe** | ICF Olson

Incident Manager

c: 647.200.6017 | e: [tatenda.marongwe@icfolson.com](mailto:tatenda.marongwe@icfolson.com)

[icfolson.ca](http://icfolson.ca) | [LinkedIn](#) | [Twitter](#)





Ensqr Corp.



Ensqr Corp.

Dated: 8<sup>th</sup> August, 2017

## **OESP NOTICE**

Dear [REDACTED]

### **Re: OESP application.**

Our records indicate that you have applied for OESP credits for your Electricity bill. Ensqr is undergoing some technical issues with the processing of your application. We have not been able to get the correct OESP support payment amount eligibility and have approximated the current credit to be \$30 per month.

Upon completion of the OESP support payment processing and determining the correct amount of OESP support being applied to the Electricity Bill we will be adjusting the credits in the next billing period.

The credit will also be applied to be eligible from the date of application retroactively.

If you need help with understanding your bill or have any questions, please call us at: 1-905-760-0117 or email us at [info@ensqr.com](mailto:info@ensqr.com).

Customer Service

Ensqr Corp.

Ensqr Corp. | 2074 Steeles Ave East | Suite26 | Brampton | ON L6T 4Z9  
Tel: +1 905 760 0117 | Fax: +1 905 760 2117 | Email: [info@ensqr.com](mailto:info@ensqr.com)

Ensqr Corp. | 2074 Steeles Ave East | Suite26 | Brampton | ON L6T 4Z9  
Tel: +1 905 760 0117 | Fax: +1 905 760 2117 | Email: [info@ensqr.com](mailto:info@ensqr.com)





# Ensqr Corp.



## Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	
Account Name:	

kWh charges	\$49.63
Delivery:	\$23.16
Regulatory:	\$3.97
Electricity Charge Total:	\$76.76
*H.S. T of Toronto Hydro:	\$9.98
Provincial Rebate:	-\$6.14
OESP Support Payment	-\$30.00
Total Electricity Charge:	\$50.60
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$73.20

Statement Date:	7/6/2017
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Your Current Bill:	\$73.20
Previous Bill pending:	\$370.83
Balance Forward:	\$370.83
Total Amount Due:	\$444.03
Due Date:	10/8/2017
Amount Paid:	\$0.00

Reading Period	Number of days
7/6/2017 To 8/6/2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
23080.64	22444.36	636.28	1.04	661.7312



# Ensqr Corp.



## Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	
Account Name:	

<b>Electricity Charges</b>	
kWh charges	\$32.11
Delivery:	\$14.98
Regulatory:	\$2.57
Electricity Charge Total:	\$49.66
•H.S. T of Toronto Hydro:	\$6.46
Provincial Rebate:	-\$3.97
OESP Support Payment	-\$30.00
Total Electricity Charge:	\$22.14
<b>Administration Charges</b>	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$44.74

Statement Date:	6/6/2017
-----------------	----------

Your Current Bill:	\$44.74
Previous Bill pending:	\$0.00
Balance Forward:	\$0.00
Total Amount Due:	\$44.74
Due Date:	10/25/2017
Amount Paid:	\$0.00

Reading Period	Number of days
6/6/2017 To 7/6/2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
31550.15	31138.5	411.65	1.04	428.116

All inquiries and questions should be directed to [info@ensqr.com](mailto:info@ensqr.com) or +1 905 760 0117 or by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9



# Ensqr Corp.



## Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	31-35 St. Dennis Dr., Toronto,
Account Name:	

Electricity Charges	
kWh charges	\$34.03
Delivery:	\$15.88
Regulatory:	\$2.72
Electricity Charge Total:	\$52.63
*H.S. T of Toronto Hydro:	\$6.84
Provincial Rebate:	-\$4.21
OESP Support Payment	-\$30.00
Total Electricity Charge:	\$25.26
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$47.86

Statement Date:	6/6/2017
-----------------	----------

Your Current Bill:	\$47.86
Previous Bill pending:	\$1,023.12
Balance Forward:	\$1,023.12
Total Amount Due:	\$1,070.98
Due Date:	10/25/2017
Amount Paid:	\$0.00

Reading Period	Number of days
6/5/2017 To 7/6/2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
18736.51	18300.26	436.25	1.04	453.7

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# Ensqr Corp.



# Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	31-35 St. Dennis Dr., Toronto,
Account Name:	

<b>Electricity Charges</b>	
kWh charges	\$50.54
Delivery:	\$23.58
Regulatory:	\$4.04
<b>Electricity Charge Total:</b>	<b>\$78.16</b>
*H.S. T of Toronto Hydro:	\$10.16
Provincial Rebate:	-\$6.25
OESP Support Payment	-\$30.00
<b>Total Electricity Charge:</b>	<b>\$52.07</b>
<b>Administration Charges</b>	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
<b>Your Current Bill:</b>	<b>\$74.67</b>

Statement Date:	6/6/2017
-----------------	----------

Your Current Bill:	\$74.67
Previous Bill pending:	\$828.21
Balance Forward:	\$828.21
<b>Total Amount Due:</b>	<b>\$902.88</b>
Due Date:	10/25/2017
Amount Paid:	\$0.00

Reading Period	Number of days
6/6/2017 To 7/6/2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
19110.24	18462.33	647.91	1.04	673,8264

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by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9



# Ensqr Corp.



## Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	31-35 St. Dennis Dr., Toronto,
Account Name:	

Electricity Charges	
kWh charges	\$21.53
Delivery:	\$10.05
Regulatory:	\$1.72
Electricity Charge Total:	\$33.30
*H.S. T of Toronto Hydro:	\$4.33
Provincial Rebate:	-\$2.66
OESP Support Payment	-\$30.00
Total Electricity Charge:	\$4.96
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$27.56

Statement Date:	6/6/2017
-----------------	----------

Your Current Bill:	\$27.56
Previous Bill pending:	\$593.08
Balance Forward:	\$593.08
Total Amount Due:	\$620.64
Due Date:	10/25/2017
Amount Paid:	\$0.00

Reading Period		Number of days
6/6/2017	To 7/6/2017	31

Current Reading	Previous Reading	kwh Used	Loss Adjustment Factor	Adjusted kWh
27912	27636	276	1.04	287.04

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# Ensqr Corp.



## Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	31-35 St. Dennis Dr., Toronto,
Account Name:	

Electricity Charges	
kWh charges	\$13.10
Delivery:	\$6.12
Regulatory:	\$1.05
Electricity Charge Total:	\$20.27
*H.S. T of Toronto Hydro:	\$2.63
Provincial Rebate:	-\$1.62
OESP Support Payment	-\$30.00
Total Electricity Charge:	-\$8.72
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$13.88

Statement Date:	6/6/2017
-----------------	----------

Your Current Bill:	\$13.88
Previous Bill pending:	\$424.10
Balance Forward:	\$424.10
Total Amount Due:	\$437.98
Due Date:	10/25/2017
Amount Paid:	\$0.00

Reading Period	Number of days
6/6/2017 To 7/6/2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
10808	10640	168	1.04	174.72

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by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9



# Ensqr Corp.



## Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	31-35 St. Dennis Dr., Toron
Account Name:	

<b>Electricity Charges</b>	
kWh charges	\$59.59
Delivery:	\$27.81
Regulatory:	\$4.77
Electricity Charge Total:	\$92.17
*H.S. T of Toronto Hydro:	\$11.98
Provincial Rebate:	-\$7.37
OESP Support Payment	-\$30.00
Total Electricity Charge:	\$66.78
<b>Administration Charges</b>	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$89.38

Statement Date:	6/6/2017
-----------------	----------

Your Current Bill:	\$89.38
Previous Bill pending:	\$686.74
Balance Forward:	\$686.74
Total Amount Due:	\$776.12
Due Date:	10/25/2017
Amount Paid:	\$0.00

Reading Period	Number of days
6/6/2017 To 7/6/2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
20652	19888	764	1.04	794.56

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# Ensqr Corp.



## Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	31-35 St. Dennis Dr., Toronto,
Account Name:	

Electricity Charges	
kWh charges	\$14.98
Delivery:	\$6.99
Regulatory:	\$1.20
Electricity Charge Total:	\$23.16
*H.S. T of Toronto Hydro:	\$3.01
Provincial Rebate:	-\$1.89
OESP Support Payment	-\$30.00
Total Electricity Charge:	-\$5.68
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$16.92

Statement Date:	6/6/2017
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Your Current Bill:	\$16.92
Previous Bill pending:	\$424.68
Balance Forward:	\$424.68
Total Amount Due:	\$441.60
Due Date:	10/25/2017
Amount Paid:	\$0.00

Reading Period	Number of days
6/6/2017 To 7/6/2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
9396	9204	192	1.04	199.68

All inquiries and questions should be directed to [info@ensqr.com](mailto:info@ensqr.com) or +1 905 760 0117 or by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9





# Ensqr Corp.



## Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	31-35 St. Dennis E
Account Name:	

Electricity Charges	
kWh charges	\$43.50
Delivery:	\$20.30
Regulatory:	\$3.48
Electricity Charge Total:	\$67.27
*H.S. T of Toronto Hydro:	\$8.75
Provincial Rebate:	-\$5.38
OESP Support Payment	-\$30.00
Total Electricity Charge:	\$40.64
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$63.24

Statement Date:	6/6/2017
-----------------	----------

Your Current Bill:	\$63.24
Previous Bill pending:	\$999.95
Balance Forward:	\$999.95
Total Amount Due:	\$1,063.19
Due Date:	10/25/2017
Amount Paid:	\$0.00

Reading Period		Number of days
6/5/2017	To 6/6/2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
20496.44	19938.81	557.63	1.04	579.9352

Ontario Energy  
Board

Commission de l'énergie  
de l'Ontario



**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. 3**

**October 27, 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.

### **Supporting Documentation**

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.

On September 29, 2017, the OEB issued Procedural Order No. 2 which ordered Ensqr to provide certain supporting documentation for its statements in the September 15, 2017 e-mail.

On October 16, 2017, Ensqr provided additional supporting documentation to its statements in the September 15, 2017 e-mail.

The OEB has reviewed the October 16, 2017 documentation and has determined that it does not fully respond to Procedural Order No. 2. Accordingly, the OEB has determined that it will require Ensqr to provide certain supporting documentation and updates for its statements, as set out below.

**THE OEB ORDERS THAT:**

1. For all information being provided to the OEB in response to this Order, Ensqr must ensure that any information which identifies a customer (including, without limitation, the customer's name, address, and account number) is redacted.
2. Ensqr shall file with the OEB, on or before November 10, 2017, the communication received from ICF which confirms that Ensqr has completed each of the 4 technical milestones necessary to implement the OESP credits.
3. Ensqr shall file with the OEB, on or before November 10, 2017, an update to the number of Ensqr customers who are currently eligible to receive an OESP credit.
4. Ensqr shall file with the OEB, on or before November 10, 2017, the tariff codes received from ICF that indicate the level of credit that each Ensqr customer who is eligible to receive an OESP credit should be receiving. If Ensqr has not received the tariff code direction from ICF for any of its customers, Ensqr must explain how it is determining the amount of OESP credit to provide to each of those customers in respect of whom Ensqr has not received a tariff code.
5. A copy of each of the most current bills (not sample bills) issued to the Ensqr customers identified in item #3, that include the OESP credit.
6. Ensqr shall file with the OEB, on or before November 10, 2017, an update on the Ensqr customers who were eligible for OESP credits prior to the time at which Ensqr began incorporating OESP into the bills. This information should include the number of customers who were eligible for OESP credits:
  - if billed, the number of customers that received the credit;
  - if billed, the amount of the credit given to each customer;
  - if billed, how the amount of the credit was calculated;
  - if billed, the date the credit was provided to the customer; and

- if billed, a copy of the bill showing the credit.

If any of the Ensqr customers has not been billed and/or the OESP credits have not applied to the bills, Ensqr shall provide a statement as to when and how this will occur.

7. 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](mailto:justins@stockwoods.ca))

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

**ISSUED** at Toronto, October 27, 2017

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary



# Ensqr Corp.

To

The Ontario Energy Board

Toronto, ON

Subj: EB-2016-0380 PROCEDURAL ORDER NO. 3

Dear Sir/Madam,

With reference to the Procedural Order No. 3 the following progress has been made. From the order the actions taken are

1. All the required information has been redacted.
2. The email confirmation from the past has been attached.
3. The eligible customers are

Apt. No.	Name	Start date	Month till Oct 2017
		Apr-16	18
		Jan-17	9
		Mar-16	19
		Oct-16	11
		Oct-16	11
		Jan-16	21
		Apr-16	24
		May-16	17
		Jan-16	21
		Jan-16	21

4. We have had issues in the past with expired accounts. We have been educating and communicating with the customers to reapply to get the latest tariffs processed. We finally have had one customer for whom we have completed the full cycle. The customer received a T9 tariff code. This customer has now been reissued his bills from the first date of application the eligible amount. For 2017 the amount applied is 75\$ per month. This has lead to the customer having no backlog of payments. The other customers we have been applying the credit of 30\$ per month. The OESP credit will be re-evaluated once their application has been reprocessed.
5. The Bills have been attached.



## Ensqr Corp.

6. The details of the Credits processed till date are
  - a. The number of Customers with a Credit : 10
  - b. Amount of Credit Given for Non-Processed Customers: 30
  - c. Calculated based on 2016 Rates and will be adjusted upon reapplication.
  - d. Copies of the bills are attached.

Please let us know if any other details are needed.

Thanks

Yours sincerely,

Harshal Gunde  
CEO



# Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	
Account Name:	

Electricity Charges	
kWh charges	\$32.67
Delivery:	\$15.25
Regulatory:	\$2.61
Electricity Charge Total:	\$50.53
*H.S. T of Toronto Hydro:	\$6.57
Provincial Rebate:	-\$4.04
OESP Support Payment	-\$75.00
Total Electricity Charge:	-\$21.94
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$0.66

Statement Date:	October 6, 2017
Bill Printed	November 15, 2017

Your Current Bill:	\$0.66
Previous Bill pending:	\$194.10
Amount Paid:	\$0.00
Balance Forward:	\$194.10
Total Amount Due:	\$194.76
Due Date:	December 10, 2017

Reading Period	Number of days
October 6, 2017 To November 6, 2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
24458.08	24039.19	418.89	1.04	435.6456

All inquiries and questions should be directed to [info@ensqr.com](mailto:info@ensqr.com) or +1 905 760 0117 or  
by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9





# Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	
Account Name:	

<b>Electricity Charges</b>	
kWh charges	\$27.77
Delivery:	\$12.96
Regulatory:	\$2.22
Electricity Charge Total:	\$42.95
*H.S. T of Toronto Hydro:	\$5.58
Provincial Rebate:	-\$3.44
OESP Support Payment	-\$30.00
Total Electricity Charge:	\$15.10
<b>Administration Charges</b>	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$37.70

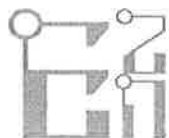
Statement Date:	November 6, 2017
Bill Printed	November 15, 2017

Your Current Bill:	\$37.70
Previous Bill pending:	\$655.90
Amount Paid:	\$0.00
Balance Forward:	\$655.90
Total Amount Due:	\$693.60
Due Date:	November 30, 2017

Reading Period	Number of days
October 6, 2017 To November 6, 2017	30

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
29060	28704	356	1.04	370.24

All inquiries and questions should be directed to [info@ensqr.com](mailto:info@ensqr.com) or +1 905 760 0117 or  
by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9



# Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	
Account Name:	

Electricity Charges	
kWh charges	\$28.08
Delivery:	\$13.10
Regulatory:	\$2.25
Electricity Charge Total:	\$43.43
*H.S. T of Toronto Hydro:	\$5.65
Provincial Rebate:	-\$3.47
OESP Support Payment	-\$30.00
Total Electricity Charge:	\$15.60
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$38.20

Statement Date:	November 6, 2017
Bill Printed	November 15, 2017

Your Current Bill:	\$38.20
Previous Bill pending:	\$156.21
Amount Paid:	\$0.00
Balance Forward:	\$156.21
Total Amount Due:	\$194.41
Due Date:	November 30, 2017

Reading Period	Number of days
October 6, 2017 To November 6, 2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
32965.46	32605.44	360.02	1.04	374.4208

All inquiries and questions should be directed to [info@ensqr.com](mailto:info@ensqr.com) or +1 905 760 0117 or  
by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9



# Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	
Account Name:	

Electricity Charges	
kWh charges	\$38.66
Delivery:	\$18.04
Regulatory:	\$3.09
Electricity Charge Total:	\$59.79
*H.S. T of Toronto Hydro:	\$7.77
Provincial Rebate:	-\$4.78
OESP Support Payment	-\$30.00
Total Electricity Charge:	\$32.78
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$55.38

Statement Date:	November 6, 2017
Bill Printed	November 15, 2017

Your Current Bill:	\$55.38
Previous Bill pending:	\$1,175.96
Amount Paid:	\$0.00
Balance Forward:	\$1,175.96
Total Amount Due:	\$1,231.34
Due Date:	November 30, 2017

Reading Period	Number of days
October 6, 2017 To November 6, 2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
20209.66	19714.07	495.59	1.04	515.4136

All inquiries and questions should be directed to [info@ensqr.com](mailto:info@ensqr.com) or +1 905 760 0117 or  
by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9



# Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	
Account Name:	

Electricity Charges	
kWh charges	\$40.81
Delivery:	\$19.04
Regulatory:	\$3.26
Electricity Charge Total:	\$63.11
*H.S. T of Toronto Hydro:	\$8.20
Provincial Rebate:	-\$5.05
OESP Support Payment	-\$30.00
Total Electricity Charge:	\$36.27
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$58.87

Statement Date:	November 6, 2017
Bill Printed	November 15, 2017

Your Current Bill:	\$58.87
Previous Bill pending:	\$1,198.41
Amount Paid:	\$20.00
Balance Forward:	\$1,178.41
Total Amount Due:	\$1,237.28
Due Date:	November 30, 2017

Reading Period	Number of days
October 6, 2017 To November 6, 2017	27

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
21407.01	20883.86	523.15	1.04	544.076

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by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9



# Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	
Account Name:	

Electricity Charges	
kWh charges	\$14.35
Delivery:	\$6.70
Regulatory:	\$1.15
Electricity Charge Total:	\$22.20
*H.S. T of Toronto Hydro:	\$2.89
Provincial Rebate:	-\$1.78
OESP Support Payment	-\$30.00
Total Electricity Charge:	-\$6.69
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$15.91

Statement Date:	November 6, 2017
Bill Printed	November 15, 2017

Your Current Bill:	\$15.91
Previous Bill pending:	\$472.33
Amount Paid:	\$0.00
Balance Forward:	\$472.33
Total Amount Due:	\$488.24
Due Date:	November 30, 2017

Reading Period	Number of days
October 6, 2017 To November 6, 2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
11496	11312	184	1.04	191.36

All inquiries and questions should be directed to [info@ensqr.com](mailto:info@ensqr.com) or +1 905 760 0117 or  
by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9



# Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	
Account Name:	

Electricity Charges	
kWh charges	\$46.04
Delivery:	\$21.48
Regulatory:	\$3.68
Electricity Charge Total:	\$71.20
*H.S. T of Toronto Hydro:	\$9.26
Provincial Rebate:	-\$5.70
OESP Support Payment	-\$30.00
Total Electricity Charge:	\$44.76
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$67.36

Statement Date:	November 6, 2017
Bill Printed	November 15, 2017

Your Current Bill:	\$67.36
Previous Bill pending:	\$1,205.34
Amount Paid:	\$0.00
Balance Forward:	\$1,205.34
Total Amount Due:	\$1,272.70
Due Date:	November 30, 2017

Reading Period	Number of days
October 6, 2017 To November 6, 2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
22652.2	22061.99	590.21	1.04	613.8184

All inquiries and questions should be directed to [info@ensqr.com](mailto:info@ensqr.com) or +1 905 760 0117 or  
by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9



# Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	
Account Name:	

Electricity Charges	
kWh charges	\$23.71
Delivery:	\$11.07
Regulatory:	\$1.90
Electricity Charge Total:	\$36.67
*H.S. T of Toronto Hydro:	\$4.77
Provincial Rebate:	-\$2.93
OESP Support Payment	-\$30.00
Total Electricity Charge:	\$8.51
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$31.11

Statement Date:	November 6, 2017
Bill Printed	November 15, 2017

Your Current Bill:	\$31.11
Previous Bill pending:	\$715.64
Amount Paid:	\$0.00
Balance Forward:	\$715.64
Total Amount Due:	\$746.75
Due Date:	November 30, 2017

Reading Period	Number of days
October 6, 2017 To September 6, 2017	27

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
21560	21256	304	1.04	316.16

All inquiries and questions should be directed to [info@ensqr.com](mailto:info@ensqr.com) or +1 905 760 0117 or  
by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9



# Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	
Account Name:	

Electricity Charges	
kWh charges	\$12.48
Delivery:	\$5.82
Regulatory:	\$1.00
Electricity Charge Total:	\$19.30
*H.S. T of Toronto Hydro:	\$2.51
Provincial Rebate:	-\$1.54
OESP Support Payment	-\$30.00
Total Electricity Charge:	-\$9.73
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$12.87

Statement Date:	November 6, 2017
Bill Printed	November 15, 2017

Your Current Bill:	\$12.87
Previous Bill pending:	\$573.54
Amount Paid:	\$0.00
Balance Forward:	\$573.54
Total Amount Due:	\$586.41
Due Date:	November 30, 2017

Reading Period	Number of days
October 6, 2017 To November 6, 2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
22092	21932	160	1.04	166.4

All inquiries and questions should be directed to [info@ensqr.com](mailto:info@ensqr.com) or +1 905 760 0117 or  
by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9







# Ensqr Corp.

Account No.	
Meter No.	
Premises No.	
Service Location	
Account Name:	

Electricity Charges	
kWh charges	\$12.17
Delivery:	\$5.68
Regulatory:	\$0.97
Electricity Charge Total:	\$18.82
*H.S. T of Toronto Hydro:	\$2.45
Provincial Rebate:	-\$1.51
OESP Support Payment	-\$30.00
Total Electricity Charge:	-\$10.24
Administration Charges	
Administration Fee:	\$20.00
H.S.T(849038906RT0001):	\$2.60
Your Current Bill:	\$12.36

Statement Date:	November 6, 2017
Bill Printed	November 15, 2017

Your Current Bill:	\$12.36
Previous Bill pending:	\$478.88
Amount Paid:	\$0.00
Balance Forward:	\$478.88
Total Amount Due:	\$491.24
Due Date:	November 30, 2017

Reading Period	Number of days
October 6, 2017 To November 6, 2017	31

Current Reading	Previous Reading	Kwh Used	Loss Adjustment Factor	Adjusted kWh
9996	9840	156	1.04	162.24

All inquiries and questions should be directed to [info@ensqr.com](mailto:info@ensqr.com) or +1 905 760 0117 or  
by writing to Ensqr Corp. : 25-2074 Steeles Avenue East, Brampton, ON L6T 4Z9



Ensqr Corp.

To

The Ontario Energy Board  
Toronto, ON

Subj: EB-2016-0380 PROCEDURAL ORDER NO. 3 (Addendum)

Dear Sir/Madam,

With reference to the Procedural Order No. 3 submission made the missing supporting documentation for Point 2 of the Order is attached here.

Email confirmation:

**From:** oesp support [mailto:oespsupport@icfi.com]

**Sent:** December 6, 2017 11:52 AM

**To:** oesp support <oespsupport@icfi.com>; Harshal Gunde <harshal.gunde@ensqr.com>; Marongwe, Tatenda <Tatenda.Marongwe@icfolson.com>

**Cc:** Hurtado, Laura <Laura.Hurtado@icfolson.com>

**Subject:** RE: Ensqr Application Processing:

Hi Harshal,

Just an update that we do see your response for the application 525878, the file has been processed and approved.

Regards,

**Dwayne Green** | ICF Olson  
Site Reliability Specialist, Operations  
c: 1.647.680.0581  
[icfolson.ca](http://icfolson.ca) | [LinkedIn](#) | [Twitter](#)

Past confirmation from OESP support as they had no applications in processing.



# Ensqr Corp.



Marongwe, Tatenda

Marongwe, Tatenda <Tatenda.Marongwe@icfolson.com>

Re: Ensqr Application Processing;

To: Harshal Gunde

From: Harshal Gunde, Group Support

Hello Harshal,

Thank you for getting back to us. Please reach out to the Ontario Electric Board regarding this issue. We can't confirm at this time that we can process applications because our system has not received new applications.

Please let me know if you have further questions or concerns.

Regards,

Tatenda Marongwe | ICF Olson  
 Incident Manager  
 c. 647.204.9017 | e. tatenda.marongwe@icfolson.com  
 @tatenda | 1414-6925 | Twitter  
 ICF OLSON

Please let us know if any other details are needed.

Thanks

Yours sincerely,

Harshal Gunde

CEO



Justin Safayeni  
Direct Line: 416-593-3494  
Direct Fax: 416-593-9345  
justins@stockwoods.ca

December 15, 2017

**VIA EMAIL**

Ontario Energy Board  
P.O. Box 2319  
27th Floor  
2300 Yonge Street  
Toronto ON M4P 1E4  
Email: boardsec@ontarioenergyboard.ca

**Attention: Ms. K. Walli, Board Secretary**

Dear Ms. Walli:

**Re: 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).**

**File No. EB-2016-0380**

We write as external counsel to the OEB Enforcement Team in this matter.

We are in receipt of the documents provided by Ensqr Corporation ("**Ensqr**") in response to Procedural Order #3. In particular, Ensqr delivered an initial response on December 4, 2017 ("**Response**") and an "addendum" on December 11, 2017 ("**Addendum**").

The OEB Enforcement Team wishes to clarify and address certain aspects of Ensqr's latest documentation.

- *Paragraph 3 of Procedural Order #3 required Ensqr to file "an update to the number of Ensqr customers who are currently eligible to receive an OESP credit."* Ensqr's Response purports to provide a list of "eligible customers". To be clear, however, with the exception of a single customer (who has successfully applied for OESP), there are no other Ensqr customers who have been determined to be eligible for the OESP. OESP eligibility is not a determination that Ensqr can make unilaterally; its customers must apply through the online process and be approved. That has not yet occurred.

STOCKWOODS LLP

TD NORTH TOWER, 77 KING STREET WEST, SUITE 4130, P.O. BOX 140, TORONTO, ONTARIO M5K 1H1 • PH: 416-593-7200 • FAX: 416-593-9345

- 2 -

- *Paragraph 4 of Procedural Order #3 required Ensqr to file “the tariff codes received from ICF that indicate the level of credit that each Ensqr customer who is eligible to receive an OESP credit should be receiving” and, in the event there are no tariff codes, to “explain how it is determining the amount of OESP credit to provide to each of those customers”.* Ensqr’s Response makes it clear that only one customer has received a tariff code, but that Ensqr has applied an “OESP credit” of \$30 per month to the bills of the remaining customers that Ensqr believes are eligible for the OESP (but have not yet, in fact, been determined to be eligible). To be clear, the \$30 per month credit on these bills is not an actual OESP credit and does not correspond to any existing tariff code. We note that Ensqr has not provided any details as how it arrived at the \$30 amount.
- *Paragraph 5 of Procedural Order #3 required Ensqr to “file copies of the most current bills (not sample bills) issued to Ensqr customers identified in item #3, that include the OESP credit.”* Again, apart from the first bill included in Ensqr’s Response, the bills Ensqr has provided do not “include the OESP credit”; instead, they include a credit that Ensqr has labelled an “OESP credit” in respect of customers who have not yet been determined to be eligible for an actual OESP credit.

With respect to the single bill Ensqr has provided for a “customer with successful OESP”, we note that that amount of the OESP credit is incorrect and does not correspond to the appropriate tariff code. Based on the date that the bill was printed, it appears that Ensqr applied an incorrect OESP credit amount two days before Ensqr received the proper information.

- *Paragraph 6 of Procedural Order #3 required Ensqr to provide certain information in respect of “Ensqr customers who were eligible for OESP credits prior to the time at which Ensqr began incorporating OESP into the bills.”* Once again, a determination as to OESP eligibility has only been made in respect of a single Ensqr customer, and so Ensqr’s response that there have been 10 “Customers with a Credit” must be read as a reference to its own, unilaterally imposed \$30 per month credits – which are not OESP credits.
- Finally, the OEB Enforcement Team has been advised by ICF that it received two new applications for OESP eligibility on December 4 and 11, 2017, which were submitted to Ensqr for confirmation on December 5 and 12, 2017, respectively. To date, ICF has advised that Ensqr has taken no steps to advance the processing of these applications. This is a matter of concern to the OEB Enforcement Team.

- 3 -

Yours truly,



Justin Safayeni

c: **Ensqr c/o Harshal Gunde** – *by email* (harshal.gunde@ensqr.com; harshal@bitts.ca)

**Michael Bell** – *by email* (Michael.Bell@oeb.ca)

**James Sidlofsky** – *by email* (James.Sidlofsky@oeb.ca)

Ontario Energy  
Board

Commission de l'énergie  
de l'Ontario



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. 4**

**January 15, 2018**

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.

**Supporting Documentation**

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.

On September 29, 2017, the OEB issued Procedural Order No. 2 which ordered Ensqr to provide certain supporting documentation for its statements in the September 15, 2017 e-mail.

On October 16, 2017, Ensqr provided additional supporting documentation to its statements in the September 15, 2017 e-mail.

On October 27, 2017, the OEB issued Procedural Order No. 3 which ordered Ensqr to provide additional supporting documentation and updates for its statements and material delivered in its response to Procedural Order No. 2.

On December 4, 2017, Ensqr filed its response to Procedural Order No. 3, and on December 11, 2017, Ensqr filed an addendum to that response. In response to Ensqr's filing, Counsel to the Enforcement Team filed a letter on December 15, 2017, to address certain aspects of the documentation filed by Ensqr. The OEB has reviewed the filing by Ensqr and the OEB Enforcement Team's response. The OEB will require Ensqr to respond to the OEB Enforcement Team's concerns. Therefore, the OEB

Orders that Ensqr respond to each of the items set out in Appendix A.

If complete and sufficient responses are not provided, the OEB may convene a further oral hearing as a next step.

**THE OEB ORDERS THAT:**

1. Ensqr shall file with the OEB, on or before **January 29, 2018**, responses to each of the items set out in Appendix A.
2. For all information being provided to the OEB in response to this Order, Ensqr must ensure that any information which identifies a customer (including, without limitation, the customer's name, address, and account number) is redacted.
3. Ensqr shall file all requested documentation with the OEB and deliver a copy of all documents filed with the OEB to the OEB Enforcement Team Counsel (Mr. Justin Safeyeni, [justins@stockwoods.ca](mailto:justins@stockwoods.ca))

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

**ISSUED** at Toronto, January 15, 2018

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary

1. In its December 4, 2017 response, Ensqr stated that it has completed the enrollment of one customer under the OESP. Ensqr states the customer qualifies under the "T9 Tariff code" and amount of the credit applied is \$75 per month.

The OEB Enforcement Team states that the amount of the tariff that Ensqr identifies is incorrect and does not correspond with the appropriate tariff code. Furthermore, the OEB Enforcement team states that the date of the invoice that Ensqr provided as evidence that it is applying the OESP benefit to the customer, is dated two days prior to when Ensqr would have received the proper information necessary to apply the benefit.

The OEB directs Ensqr to respond to these concerns. This response must include:

- a) A statement as to whether Ensqr believes it has identified the proper tariff code for this customer and is applying the correct credit amount. And if so, why it believes this is accurate.
  - b) Ensqr shall provide a copy of the communication from ICF in which ICF informed Ensqr regarding 1) the tariff code for this customer and 2) the amount of the tariff to be applied. The copy of this communication must include evidence of the date it was received by Ensqr.
  - c) If the date Ensqr received this communication is later than November 15, 2017, (the date the bill was printed), Ensqr must explain how it could have prepared this bill without the information from ICF.
2. In its December 4, 2017 response, Ensqr has indicated that it is applying a \$30 per month "OESP credit" to nine customers.

The OEB Enforcement Team states that this \$30 per month credit is not an actual OESP credit and does not correspond to any existing tariff code. In addition, the Enforcement Team indicates that these customers have not yet been deemed eligible to receive any OESP credit.

The OEB directs Ensqr to respond to these concerns. This response must include:

- a) Confirmation of whether Ensqr knows these nine customers have been deemed eligible by ICF or some other party to receive the OESP credit.
  - b) If these customers have not been confirmed as eligible for the OESP credit, an explanation as to why is Ensqr providing a \$30 per month credit.
  - c) Clarification as to whether Ensqr is actually issuing bills and expecting payment from these customers based on this \$30 credit. If so, Ensqr must provide the number of months and time period for which it has been issuing bills and expecting payment from these customers.
  - d) Ensqr shall indicate how it plans to deal with any amounts it claims are owed by these customers, if it is determined either that they do not qualify for the OESP credit, or that the OESP credit is a different amount than the \$30 a month Ensqr is currently applying.
3. The OEB Enforcement Team stated that two new applications for OESP eligibility were received on December 4 and 11, 2017, and were submitted to Ensqr for confirmation on December 5, 2017 and December 12, 2017, respectively. The OEB Enforcement Team states that as of the date of their letter (December 15, 2017), Ensqr had taken no actions to advance the processing of these applications.

The OEB directs Ensqr to respond to these concerns. This response must include information on:

- a) Whether Ensqr has responded to ICF's request for confirmation of these customers, and if not, the reason(s) for why it has not.
- b) Whether these customers have been confirmed as qualifying for the OESP. If so, Ensqr shall provide the tariff code that they were assigned and Ensqr shall indicate how much the credit be and when will they start receiving the credit.
- c) Whether either or both of these two customers is/are among the nine customers on whose bills Ensqr has been applying a \$30 "OESP credit".



# Ensqr Corp.

To  
The Ontario Energy Board  
Toronto, ON

Subj: EB-2016-0380 PROCEDURAL ORDER NO. 4

Dear Sir/Madam,

With reference to the Procedural Order No. 3 the following progress has been made. From the order the actions taken to satisfy the Appendix A process are

1. A> The latest tariff tables have been received from OEB contact and after searching for past communications. The tariff tables used from Jan 1, 2016 to April 2017 are

<i>Tariff Code</i>	<i>OESP Credit Amount</i>
<i>T0</i>	<i>0</i>
<i>T1</i>	<i>30</i>
<i>T2</i>	<i>34</i>
<i>T3</i>	<i>38</i>
<i>T4</i>	<i>42</i>
<i>T5</i>	<i>45</i>
<i>T6</i>	<i>50</i>
<i>T7</i>	<i>55</i>
<i>T8</i>	<i>60</i>
<i>T9</i>	<i>75</i>



# Ensqr Corp.

And from May 2017 the values to be used are :

Class	Tariff Value	OESP Monthly Credit Amount
A	T10	\$35
B	T11	\$40
C	T1	\$45
D	T2	\$51
E	T12	\$52
F	T3	\$57
G	T13	\$60
H	T4	\$63
I	T5	\$68
J	T6	\$75
K	T7	\$83
L	T8	\$90
M	T9	\$113

1. B ICF has not communicated back, however the above research has provided the data.
1. C. We had assumed the value as 30\$ unless the tariff code has been received through the OESP interface. The one customer for whom the value was assumed to be 75\$ based on T9 code has been issued a retroactive bill with a credit of 113 since May 2017.
2. The clarifications are
  - a. Yes we know the 9 customers who were applicants. However their eligibility and their Tariff codes are not known yet. 2 of the 9 have completed the re-applications and their Tariffs are now known.
  - b. We were providing the credit as per T1 of the first phase of OESP implementation. We will revise the bills retroactively for the customers once the Tariffs are confirmed.
  - c. All these customers have not paid their bills for the last 1 year and we are not demanding payments unless the proper bills are created with the correct Tariff Codes at which time we will have the correct arrears calculated.
  - d. If the customers are determined as not eligible for OESP then a revised bill with the correct calculation will be issued to all these customers.



## Ensqr Corp.

3. The concerns are addressed as follows:

- a. The 9 customers have not yet been deemed eligible unless they Re-applied. Till date we have received the confirmation of only 2 of the 9 customers and the Tariff has been ascertained and the credit provided since the date of the First application. The rest 7 customers have been urged to re-apply to determine the correct tariff. At present all these customers are being given OESP credit as per a T1 code.
- b. As per the above criteria we have applied the code since the date of the First Application as per their approved Tariff Code.
- c. The two customers who have been confirmed with their Tariff Codes have been issued the correct credit as per the dates.

Thanks

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Harshal Gunde'.

Harshal Gunde  
CEO

Ontario Energy  
Board

Commission de l'énergie  
de l'Ontario



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. 5**

**March 16, 2018**

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.



On December 4, 2017, Ensqr filed its response to Procedural Order No. 3, and on December 11, 2017, Ensqr filed an addendum to that response. In response to Ensqr's filing, Counsel to the Enforcement Team filed a letter on December 15, 2017, to address certain aspects of the documentation filed by Ensqr.

On January 15, 2018, the OEB issued Procedural Order No. 4 which ordered Ensqr to respond to the Enforcement Team's concerns. Procedural Order No. 4 also indicated that if complete and sufficient responses are not provided, the OEB may convene a further oral hearing as a next step.

On February 5, 2018, Ensqr requested an extension to February 10, 2018 to produce all of the supporting documentation as required in Procedural Order No. 4. On February 5, 2018, the OEB granted the request.

On February 12, 2018, Ensqr delivered correspondence in response to Procedural Order No. 4.

### **Oral Hearing**

The OEB is not satisfied with the responses of Ensqr to date on Ensqr's ability to process OESP credits. The OEB has determined that it will convene a half-day oral hearing to hear further evidence on the ability of Ensqr to process OESP credits, and to provide Ensqr with an opportunity to explain why its licence should not be revoked.

The Enforcement Team shall also present a witness from ICF OLSON and shall also attend the oral hearing in order to provide an update on the ability of Ensqr to process OESP credits.

### **THE OEB ORDERS THAT:**

1. Ensqr and OEB Enforcement Team Counsel shall provide the Case Manager to this proceeding with mutually agreeable dates that a half-day oral hearing can take place. The dates shall be provided no later than two weeks after the issuance of this Procedural Order.

2. Ensqr, OEB Enforcement Team Counsel, and OEB Enforcement Team witnesses (including a representative of ICF OLSON) shall be present and made available at the oral hearing once hearing dates are established.

**ISSUED** at Toronto, March 16, 2018

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary