



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

DECISION AND ORDER

EB-2018-0161

CANADIAN RITERATE ENERGY CORPORATION

Application for a Gas Marketer Licence

BY DELEGATION,

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

August 23, 2018

INTRODUCTION AND SUMMARY

Canadian RiteRate Energy Corporation (RiteRate) applied for a renewal of its gas marketer licence (GM-2013-0324), which is set to expire on December 18, 2018. For the reasons set out below, the application is approved.

THE PROCESS

RiteRate filed a gas marketer licence application under section 50 of the *Ontario Energy Board Act, 1998* (OEB Act) on April 23, 2018. The Ontario Energy Board (OEB) issued a Notice of Application and Written Hearing (Notice) on May 7, 2018, inviting persons to intervene in the hearing or to comment on the application. No one responded to the Notice. OEB staff participated in the hearing and filed written interrogatories on June 7, 2018. RiteRate responded to OEB staff's interrogatories on June 21, 2018. OEB staff filed a submission on the application on July 11, 2018. RiteRate did not file its response to the submission.

This Decision and Order is being issued by the Delegated Authority, pursuant to Section 6 of the OEB Act.

BACKGROUND

An applicant for the issuance or renewal of a licence that allows for the marketing of natural 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.

THE APPLICATION

In its submission on the application, OEB staff stated that RiteRate meets the requirements for the renewal of its gas marketer licence. In OEB staff's view, the applicant can reasonably be expected to be financially responsible in the conduct of its business and has adequate technical capabilities to operate in the Ontario market. With respect to the applicant's conduct, OEB staff noted that since the last renewal of its gas marketer licence in 2013, RiteRate has not been subject to any OEB enforcement proceedings, and there were no complaints about RiteRate's conduct filed with the OEB within the last two years. OEB staff concluded that RiteRate has the appropriate systems, policies, procedures and controls in place to comply with its statutory and regulatory obligations.

FINDINGS

RiteRate's application for renewal of its gas marketer licence is granted. When evaluating an application for a gas marketer licence, the OEB focuses its consideration on the requirements set out in Ontario Regulation 90/99; in particular, the applicant's financial position, technical capability to operate in the market, and conduct. The record in this case indicates that RiteRate has met these requirements.

IT IS ORDERED THAT:

1. The application for a gas marketer licence is granted, on such conditions as are contained in the attached licence.

DATED at Toronto, August 23, 2018

ONTARIO ENERGY BOARD

Original Signed By

Brian Hewson
Vice President, Consumer Protection & Industry Performance