



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

DECISION AND ORDER

EB-2018-0282

GAS ONTARIO INC.

Application for a Gas Marketer Licence

BY DELEGATION,

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

December 20, 2018

INTRODUCTION AND SUMMARY

Gas Ontario Inc. (Gas Ontario) filed with the Ontario Energy Board (OEB) an application for a renewal of its gas marketer licence (GM-2013-0261), which is set to expire on January 29, 2019. The granting of this licence would enable Gas Ontario to act as an agent or broker for natural gas in Ontario.

THE PROCESS

Gas Ontario filed with the OEB an application for a gas marketer licence on October 1, 2018, pursuant to section 50 of Ontario Energy Board Act, 1998 (OEB Act).

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

BACKGROUND

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 OEB Act or the regulations or the rules made under Part III of the OEB 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

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.

With respect to the applicant's technical and financial position, Gas Ontario can reasonably be expected to be financially responsible for the conduct of its business and has adequate technical capabilities to operate in the Ontario market. With respect to the applicant's conduct, Gas Ontario has not been subject to any OEB enforcement proceedings since the renewal of its gas marketer licence in 2013, and there were no complaints about Gas Ontario's conduct filed with the OEB within the last two years.

FINDINGS

After considering the application, the OEB finds it to be in the public interest to grant Gas Ontario's application for renewal of its gas marketer licence. When evaluating an application for a gas marketer licence, the OEB focuses its consideration on the requirements set out in Ontario Regulation 90/99. The record in this case indicates that Gas Ontario 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, December 20, 2018

ONTARIO ENERGY BOARD

Original signed by

Brian Hewson
Vice President, Consumer Protection & Industry Performance