



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

DECISION AND ORDER

EB-2018-0297 & EB-2018-0298

XOOM ENERGY ONT, ULC

Applications for an Electricity Retailer Licence and a Gas Marketer Licence

BY DELEGATION,

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

February 28, 2019

DECISION & ORDER

XOOM Energy ONT, ULC (XOOM Energy) filed an electricity retailer licence application under section 60 of the *Ontario Energy Board Act, 1998* (OEB Act) and a gas marketer licence application under section 50 of the OEB Act on October 18, 2018. XOOM Energy filed additional information to complete the applications on December 10, 2018. The licences would allow the applicant to continue providing electricity retailing and gas marketing services to consumers in Ontario. The Ontario Energy Board (OEB) combined the applications into one proceeding, pursuant to section 21(5) of the OEB Act.

This Decision and Order is being issued by the Delegated Authority without a hearing pursuant to section 6(4) 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.

Based on a review of the evidence and assessment of technical capability, conduct and financial viability of the applicant, the OEB finds that XOOM Energy meets the requirements set out in Ontario Regulation 90/99. XOOM Energy's applications for renewal of its gas marketer and electricity retailer licences are granted.

IT IS ORDERED THAT:

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

DATED at Toronto, February 28, 2019

ONTARIO ENERGY BOARD

Original signed by

Brian Hewson
Vice President, Consumer Protection & Industry Performance