



Application for an Electricity Wholesaler Licence

Application Instructions

1. Purpose of this Form

Use this form to apply, under section 60 of the *Ontario Energy Board Act, 1998* (OEB Act), for an “electricity wholesaler” licence. An electricity wholesaler licence issued by the Ontario Energy Board (OEB) enables the licensee to purchase electricity or ancillary services in the Independent Electricity System Operator (IESO) administered markets or directly from a generator; and to sell electricity or ancillary services through the IESO-administered markets or directly to another person, other than a consumer.

2. Completion Instructions

This form is in writeable PDF and can be completed electronically. If necessary, **responses may be continued on additional pages**. The applicant is encouraged to complete the form electronically, save the completed form and file it, along with any attachments, by e-mail to: boardsec@oeb.ca.

THE APPLICANT MUST ALSO SEND TWO PAPER COPIES OF THE COMPLETED AND SIGNED APPLICATION FORM, ALONG WITH TWO PAPER COPIES OF ANY ATTACHMENTS AND THE APPROPRIATE APPLICATION FEE TO:

Board Secretary
Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4

The OEB may require information that is additional to the information filed in this application form. Also, filing of a completed application form does not preclude the applicant from filing additional information.

Any questions regarding the completion of this application should be directed to the OEB at IndustryRelations@oeb.ca.

3. Application and Registration Fees

A non-refundable application fee is required to process this application. Please enclose a cheque or money order made payable to the **ONTARIO ENERGY BOARD**. If a licence is issued, the licensee will be required to pay an annual registration fee. The amounts of the application fee and the annual registration fee are indicated on the “Apply for a Licence” page of the “Industry” section of the OEB's website at www.oeb.ca.

4. Confidentiality

Information filed as part of or in support of sections 9 to 13 of this application will be treated as confidential. All other information filed as part of or in support of this application will be placed on the public record. Where the applicant objects to public disclosure of information filed as part of or in support of sections other than sections 9 to 13, the applicant must follow the procedure set out in the OEB's Practice Direction on Confidential Filings.

5. Important Information

Applicants should consider the timelines required to process applications to avoid submitting applications too early or too late. Submitting applications too early without reasonable certainty of the proposed licensed activities will impede regulatory efficiency while submitting applications too late will leave the applicant to bear the risk of delayed commencement of licensed activities. Processing timelines are indicated on the "[Apply for a Licence](#)" page of the "Industry" section of the OEB's website at www.oeb.ca. If submitted incomplete, there may be a delay in processing the application.

Applicants must make a copy of the non-confidential sections of the application available to any person who requests a copy.

Ontario Energy
Board
P.O. Box 2319
2300 Yonge Street
27th Floor
Toronto ON M4P 1E4
Telephone: 1-888-632-6273
Facsimile: (416) 440-7656

Commission de l'énergie
l'Ontario
C.P. 2319
2300, rue Yonge
27e étage
Toronto ON M4P 1E4
Téléphone: 1-888-632-6273
Télécopieur: (416) 440-7656



Application for an Electricity Wholesaler Licence

For Office Use Only	
Application Number	EB-
Date Received	

1. The Applicant

Legal Name of the Applicant : FNX Mining Company Inc.

Business Classification:

☐ Sole Proprietor

☐ Partnership

☒ Corporation

☐ Other (describe) _____

Date of formation or incorporation: June 26, 1984

Place of formation or incorporation:

Province/State Ontario

Country Canada

If the applicant is an individual, the applicant must be at least 18 years old. If the applicant is an individual, is he or she at least 18 years old?

☐ Yes

☐ No

☒ Not Applicable - not an individual

Head Office or Business Address of Applicant

191 Creditview, Suite 400

City	Province/State	Country	Postal/Zip Code
<u>Vaughn</u>	<u>Ontario</u>	<u>Canada</u>	<u>L4L 9T1</u>

Phone Number	Toll Free (if available)	E-mail Address
<u>647 265 9191</u>		

Website Address https://kghm.com/en

2. Application Type

☐ New

☒ Renewal, provide the licence number and expiry date of the current licence.

Licence Number EW-2014-0322

Expiry Date 21-Jan-20

3. Licence Primary Contact

The licensee shall designate a person who will act as primary contact with the OEB on matters related to the licence.

Mr. <input checked="" type="radio"/>	Mrs. <input type="radio"/>	Last Name	First Name	Initial
Miss <input type="radio"/>	Ms. <input type="radio"/>	<input type="text" value="Roberts"/>	<input type="text" value="Dylan"/>	<input type="text" value="N"/>
Other <input type="radio"/>	<input type="text"/>	Title/Position	<input type="text" value="Construction Superintendent"/>	
		Company Name	<input type="text" value="FNX Mining Company Inc. (KGHM International Ltd.)"/>	

Licence Primary Contact Address:

City	Province/State	Country	Postal/Zip Code
<input type="text" value="Sudbury"/>	<input type="text" value="Ontario"/>	<input type="text" value="Canada"/>	<input type="text" value="P3C 4R9"/>

Phone Number	Toll Free (if available)	E-mail Address
<input type="text" value="705 929 0586"/>	<input type="text"/>	<input type="text" value="dylan.roberts@ca.kghm.com"/>

4. Application Primary Contact

☒ Indicate if same as above. Proceed to section 5.

The primary contact for the licence application may be a person within the applicant's organization other than the licence primary contact noted above. An applicant may also choose to designate a consultant, lawyer, etc. to be the primary contact for the licence application. The OEB will communicate with this person during the course of the application review process but with the licence primary contact after a licence is issued.

Mr. <input type="radio"/>	Mrs. <input type="radio"/>	Last Name	First Name	Initial
Miss <input type="radio"/>	Ms. <input type="radio"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Other <input type="radio"/>	<input type="text"/>	Title/Position	<input type="text"/>	
		Company Name	<input type="text"/>	

Application Primary Contact Address:

City	Province/State	Country	Postal/Zip Code
Phone Number	Toll Free (if available)	E-mail Address	

5. Trade Names

The electricity wholesaler licence authorizes the licensee to conduct business using the name under which the licence is held (i.e. the applicant's legal name). It also provides for the use of trade names by the licensee.

Does the applicant intend to use trade names?

- ☐ Yes, provide a list of trade names the applicant intends to use in the space provided below.
- ☒ No, proceed to section 6.

6. Applicant's Licensing Status and History

- (a) Has the applicant, an affiliate of the applicant, or an associated entity (e.g., a partnership or limited partnership), ever been licensed by the OEB? (The *Business Corporations Act* definition for affiliate can be found at www.e-laws.gov.on.ca)

- ☐ Yes, provide details of current and expired licences in the table below.
- ☒ No, proceed to 6(b).

Licensee Name	Relation to the Applicant (e.g., applicant itself, affiliate, partner...etc.)	Licence Number

(b) Does the applicant, an affiliate of the applicant, or an associated entity have any other application(s) before the OEB?

☐ Yes, provide details in the table below.

☒ No, proceed to 6(c).

Applicant Name	Relationship to this Applicant	Type of Application	OEB File Number

(c) Has the applicant, an affiliate of the applicant, or an associated entity ever undertaken energy sector activity in any other jurisdiction within North America?

☒ Yes, provide details in the table below.

☐ No

Company Name	Relation to the Applicant	Jurisdiction	Business Activity	Name of Licensing Body and Licence/Registration No. (if applicable)
Robinson Nevada Mining	KGHMI International Ltd. Subsidiary	Nevada - Mt. Wheeler Power	Open Pit Mining Operations	

7. Key Individuals

In the table below, identify the key individuals that are responsible for executing the following functions for the applicant: matters related to regulatory requirements and conduct, financial matters, and technical matters. Key individuals include the Chief Executive Officer, the Chief Financial Officer, other officers and directors, partners or proprietors.

Name of Key Individual	Title/Position within Applicant's Business (or identify company if not the Applicant's Business)
Andrzej Kensbok	President, FNX Mining Company Inc.
Michał Holaczuk	Director and Chief Operating Officer, FNX Mining Co.
Andrzej Przeczek	Director and Head of Finance, FNX Mining Company Inc

8. Intended Markets and Services

Identify the applicant's intended markets and services. Select any that apply.

- ☒ To purchase electricity or ancillary services in the IESO-administered markets.
- ☐ To purchase electricity or ancillary services directly from a generator.
- ☐ To sell electricity or ancillary services in the IESO-administered markets.
- ☐ To sell electricity or ancillary services to wholesalers.
- ☐ To sell electricity or ancillary services to distributors (i.e., standard supply services).
- ☐ To sell electricity or ancillary services to electricity retailers.
- ☐ To sell electricity or ancillary services to persons outside of the Ontario market.
- ☐ To sell electricity to consumers, defined as a person who uses for the person's own consumption, electricity that the person did not generate. If the applicant selects this item, the applicant may require a retailer licence.
The application form can be found at www.oeb.ca.

14. Notice

The OEB is authorized, under section 4.14 of the OEB Act, to collect personal information for the purpose of carrying out its duties and exercising its powers under the OEB Act or any other Act.

The information provided both on this form and attached to this form is being collected by the OEB for the purpose of determining whether the applicant is qualified to receive the licence for which it is applying.

In order to verify the information on this form and/or determine whether the applicant is qualified to receive the licence for which it is applying, it may be necessary for the OEB to collect additional information from some or all of the following sources: federal, provincial/state, or municipal governments; licensing bodies; law enforcement agencies; credit bureaus; and banks. Only information relevant to the application or the OEB's determination of the application will be collected by the OEB.

The public official who can answer questions about the collection of the information is:

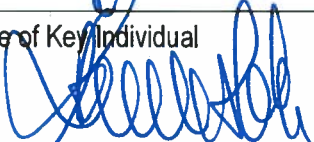
Board Secretary
Ontario Energy Board
P.O Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON
M4P 1E4

Tel: 416-481-1967 or 1-888-632-6273

Applicants are reminded that the OEB is subject to the *Freedom of Information and Protection of Privacy Act* (FIPPA). FIPPA addresses circumstances in which the OEB may, upon request, be required to release information that is in its custody or under its control, and generally prohibits the OEB from releasing personal information. "Personal Information" has the meaning given to it under FIPPA.

18. Certification and Acknowledgement

- (a) I certify that the information contained in this application and in the documents provided are true and accurate.
- (b) I understand and acknowledge that, as a licensee, I must provide information as the OEB may require from time to time.
- (c) I understand and acknowledge that the issuance of an electricity wholesaler licence does not guarantee accreditation by the IESO or distributors.

Print Name of Key Individual ANDRZEJ KENSBOK	Signature of Key Individual 	Date 2019/09/17
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If the applicant is a sole proprietor, he/she must sign.

If the applicant is a corporation, a person with authority to bind the corporation must sign.

If the applicant is a partnership, a partner with authority to sign on behalf of the partnership must sign.

Checklist (return with application form)

- ☐ Two copies of the application form have been included with original signature on both copies
- ☐ A cheque or money order for the non-refundable application fee has been included
- ☐ A corporate organization chart has been attached to the application form
- ☐ Section 10 has been completed and all relevant financial information has been included
- ☐ Section 13 has been completed for all key individuals