



Ontario
Energy
Board

Commission
de l'énergie
de l'Ontario

INTERIM DECISION AND ORDER

EB-2021-0086

NRG KIOSK LLC, DBA POWER KIOSK

Application for an Agent only Electricity Retailer Licence

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

March 1, 2021

INTERIM DECISION AND ORDER

NRG Kiosk LLC, DBA Power Kiosk filed an application on February 16, 2021, with the Ontario Energy Board (OEB) pursuant to section 60 of the *Ontario Energy Board Act* (OEB Act), for a renewal of its agent only electricity retailer licence.

The applicant has been previously licensed by the OEB, however neglected to renew its agent only electricity retailer licence ER-2018-0317. NRG Kiosk LLC, DBA Power Kiosk is currently engaged in electricity retailing activities and therefore has been operating without a licence since February 13, 2021 when the licence expired. As per section 57 (d) of the OEB Act, no person can retail electricity unless licensed to do so. Thus, the applicant has contravened section 57 of the OEB Act and may be subject to an OEB compliance action.

Considering the time required to process an application in accordance with the OEB's established practice and procedures, and considering the applicant's ongoing operations require that it hold a licence to continue its electricity retailing activities in Ontario, it is reasonable to issue an interim order to extend the term of the electricity retailer licence ER-2018-0317, pending the final disposition of the matter. This Decision and Order does not constitute a final decision on the application.

The applicant is reminded that it carries the onus of filing an application in a timely manner considering the OEB's typical timelines for processing licence applications. This licence is granted without prejudice with regard to any future compliance actions.

IT IS ORDERED THAT:

The term of licence ER-2018-0317 is extended to May 31, 2021, or the date of a final determination of the gas marketer licence application, whichever is earlier. All other conditions of licence ER-2018-0317 remain unchanged.

DATED at Toronto March 1, 2021

ONTARIO ENERGY BOARD

Original Signed By

Brian Hewson
Vice President, Consumer Protection & Industry Performance