



Ontario  
Energy  
Board

Commission  
de l'énergie  
de l'Ontario

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## **DECISION AND ORDER**

**EB-2021-0127**

### **JUST ENERGY SOLUTIONS INC.**

**Application for an Electricity Wholesale Licence**

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

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**May 27, 2021**

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**DECISION AND ORDER**

Just Energy Solutions Inc. (Just Energy Solutions) filed an application on April 1, 2021, with the Ontario Energy Board (OEB) pursuant to section 60 of the *Ontario Energy Board Act, 1998* (OEB Act), for a renewal of its electricity wholesaler licence.

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

The OEB was notified and is aware that Just Energy Solutions is among a number of related Just Energy entities that sought and received protection under the *Companies' Creditors Arrangement Act* (CCAA) in Canada and similar protection under the U.S. Bankruptcy Code, as a result of charges arising from the unprecedented winter storm in Texas in February 2021.

The OEB notes that, on May 26, 2021, the CCAA protection was extended to September 30, 2021, and among other things authorizes (but does not require) the repatriation of funds to the Just Energy companies operating in Canada to ensure sufficient working capital to fund their ongoing operations during the CCAA proceedings.

The May 21, 2021 second report of FTI Consulting Canada Inc., in its capacity as monitor, notes that the Just Energy entities are forecast to have sufficient liquidity in order to continue operating in the ordinary course of business during the extension period and have acted in good faith and with due diligence in the CCAA proceeding since the date of filing.

The OEB finds that it is in the public interest to renew Just Energy Solutions' electricity wholesaler licence and is doing so for the usual five-year term. Just Energy Solutions is reminded of its obligation under section 5.2 of its licence, to notify the OEB of any material change in circumstances that adversely affects or is likely to adversely affect its business, operations or assets, and expects Just Energy Solutions to provide the OEB with reasonable advance notice of any plan of arrangement or compromise, change of control, or other restructuring transaction involving or affecting its business, operations or assets.

As matters develop in relation to the CCAA proceeding, the OEB reserves its right to impose additional licence conditions, or to take other actions, as may be required in order to protect the market.

**IT IS ORDERED THAT:**

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

**DATED** at Toronto May 27, 2021

**ONTARIO ENERGY BOARD**

*Original Signed By*

Brian Hewson  
Vice President, Consumer Protection & Industry Performance