



Application for an Electricity Retailer Licence

Application Instructions

1. Purpose of this Form

This form is to be used to apply for a licence that would enable the applicant

- (a) to sell or offer to sell electricity to a consumer;
- (b) to act as agent or broker for a retailer with respect to the sale of electricity; and/or
- (c) to act or offer to act as an agent or broker for a consumer with respect to the sale or offering for sale of electricity.

2. Completion Instructions

This form is in a writeable PDF format. The applicant must either:

- type answers to all questions, print two copies and sign both copies; or
- print a copy of the form, clearly print answers to all questions, make a copy and sign both copies.

The applicant must also complete the checklist attached to the application form.

Please send both copies of the completed form, checklist, and two copies of any attachments to:

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

Any questions regarding the completion of this application should be directed to the Ontario Energy Board (OEB) at IndustryRelations@oeb.ca.

Please note that the OEB may require information that is additional or supplementary to the information filed in this application form and that filing of the form does not preclude the applicant from filing additional or supplementary 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 "[Performance Standards for Processing Applications](#)" page of the OEB's website at www.oeb.ca. If submitted incomplete, there may be a delay in processing the application. _____

3. Application and Registration Fees

A non-refundable application fee is required to process your application. Please enclose a cheque or money order made payable to the **ONTARIO ENERGY BOARD**. The amount of the application fee is indicated on the "Apply for a Licence" page of the "Industry" section of the OEB's website at www.oeb.ca.

If a licence is issued, the licensee will be required to pay an annual registration fee. Annual registration fee information is indicated on the "Apply for a Licence" page of the "Industry" section of the OEB's website at www.oeb.ca.

4. Confidentiality

Sections 10 to 15 of this application will be treated as confidential. All other information filed as a part of or in support of this application will be placed on the public record. Where the applicant objects to public disclosure of information contained in sections other than sections 10 to 15, the applicant must follow the procedure set out in the OEB's Practice Direction on Confidential Filings.

5. Important Information

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

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Application for an Electricity Retailer Licence

For Office Use Only	
Application Number	EB -
Date Received	

1. The Applicant

Legal Name of the Applicant : H2O Power Holding Limited Partnership

Name to Appear on Licence: H2O Power Holding Limited Partnership

☒ Indicate if the name to appear on the licence is the same as the legal name.

Please note that if the name to appear on the licence is not the same as the legal name, the name on the licence must include the legal name of the applicant and the legal name must appear first. The "Name to Appear on Licence" will appear on the notice of application and on the licence.

Business Classification:

- ☐ Sole Proprietor
- ☒ Partnership
- ☐ Corporation
- ☐ Other (describe) _____

Date of formation or incorporation: December 30, 2015

Place of formation or incorporation: Province of Quebec

Province/state Quebec

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

2. Licence Primary Contact

As a condition of licensing, the licensee shall designate a person who will act as primary contact with the OEB on matters related to the licence.

Mr. ☒	Mrs. ☐	Last Name	First Name	Initial
Miss ☐	Ms. ☐	Gartshore	James	A
Other ☐		Title/Position		
		President		
		Company Name if different from Name to Appear on Licence		

Licence Primary Contact Address:

560 King Street West

City	Province/State	Country	Postal/Zip Code
Oshawa	Ontario	Canada	L1J 7J1

Phone Number	Toll Free (if available)	Fax Number	E-mail Address
905-438-8539x3201		905-438-8226	Jim.Gartshore@h2opower.com

If the above address is not in Ontario, the applicant must also provide contact information for service purposes in the province of Ontario. Applicants whose offices are not located in Ontario may provide the address of an agent (an individual who is a resident of Ontario and is at least 18 years old, or a corporation that has its head office or registered office in Ontario) as the address of service.

Mr. ☐	Mrs. ☐	Last Name	First Name	Initial
Miss ☐	Ms. ☐			
Other ☐		Title/Position		
		Company Name if different from Name to Appear on Licence		

Address for Service in Ontario (if different than the Licence Primary Contact Address above)

City	Province	Postal Code
	ONTARIO	

Phone Number	Toll Free (if available)	Fax Number	E-mail Address

3. Application Primary Contact

☐ Indicate if same as above. If yes, proceed to section 4.

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 but with the licence primary contact after a licence is issued.

Mr. ☐	Mrs. ☐	Last Name	First Name	Initial
Miss ☐	Ms. ☒	Wong	Sharon	S
Other ☐		Title/Position		
		Lawyer		
Company Name if different from Name to Appear on Licence				
Blake, Cassels & Graydon LLP				

Application Primary Contact Address:

199 Bay Street West, Suite 4000

City	Province/State	Country	Postal/Zip Code
Toronto	Ontario	Canada	M5L1A9

Phone Number	Toll Free (if available)	Fax Number	E-mail Address
416 863 4178		416 863 2653	sw@blakes.com

4. Customer Complaint or Inquiries Primary Contact

Provide contact information of the person to whom correspondence or communication regarding customer complaints or inquiries should be addressed. The mailing address should be in Ontario and the telephone number should be listed in Ontario. If the applicant intends to retail electricity to low-volume consumers (annually consuming less than 150,000 kilowatt hours of electricity), the applicant should also provide a telephone number which may be reached by the general public without a charge.

Mr. ☒	Mrs. ☐	Last Name	First Name	Initial
Miss ☐	Ms. ☐	Gartshore	James	A
Other ☐		Title/Position		
		President		
Company Name if different from Name to Appear on Licence				

Customer Complaint or Inquiries Primary Contact Address:

560 King Street West

City	Province	Postal Code
Oshawa	ONTARIO	L1J 7J1

Phone Number	Toll Free	Fax Number	E-mail Address
905-438-8539x3201		905-438-8226	Jim.Gartshore@h2opower.com

5. Type of Application

☐ New licence

☒ Renewal, please provide the licence number and expiry date of the existing licence

Licence Number: ER- 2016-0368 Expiry Date: March 14, 2022

6. Trade Names

The electricity retailer licence authorizes the licensee to conduct business using the name under which the licence is held. It also provides for the use of trade names by the licensed electricity retailer.

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 7.

7. 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 7(b).

Licensor Name	Relation to the applicant (e.g., applicant itself, affiliate, partner...etc.)	Licence Number
H2O Power Limited Partnership	Affiliate of the Applicant	EG-2006-0124
H2O Power Limited Partnership	Affiliate of the Applicant	ER-2016-0289
H2O Power Limited Partnership	Affiliate of the Applicant	ER-2021-0221
H2O Power Holding Limited Partnership	Applicant	ER-2016-0368
H2O Power Holding Limited Partnership	Applicant	EG-2016-0369

- (b) Does the applicant, an affiliate of the applicant, or an associated entity (e.g., a partnership or limited partnership) have any other application(s) before the OEB?

☐ Yes, provide details in the table below.

☒ No, proceed to 7(c).

Applicant Name	Type of Application	Ontario Energy Board File Number (if applicable)

- (c) Has the applicant, an affiliate of the applicant, or an associated entity (e.g., a partnership or limited partnership) ever undertaken licensed energy sector activity in any other jurisdiction within North America?

☒ Yes, provide details of current and expired licences in the table below

☐ No

Company Name	Jurisdiction	Business Activity	Name of Licensing Body	Licence/Registration No.
FirstLight Power	United States	Hydro Generation	FERC	P-2485
FirstLight Power	United States	Hydro Generation	FERC	P-1889
FirstLight Power	United States	Hydro Generation	FERC	P-2576
FirstLight Power	United States	Hydro Generation	FERC	P-2662
Allegheny Hydro	United States	Hydro Generation	FERC	P-3021

8. Officers, Directors and Key Individuals

- (a) If the applicant is a corporation, provide as a separate attachment a list of all officers and directors, including name and title.
- (b) Provide a list of key individuals below. The individuals listed must be the individuals that are responsible for the following functions for the applicant: regulatory requirements and conduct, financial matters and technical matters. These key individuals may include the Chief Executive Officer, the Chief Financial Officer, other officers, directors and proprietors.

Note: Please list a minimum of three key individuals. If unable to provide a minimum of three, please explain. _____

Name of Key Individual	Title/position within applicant's business (or identify company if not the applicant's business)
James Gartshore	President
Marc Mantha	Vice President, Operations
Ron McLeod	Vice President, Finance & Administration

9. Intended Services and Markets

(a) Intended Services: please identify which of the following services the applicant intends to offer. You may select as many as applicable.

- ☐ to sell or offer to sell electricity to low-volume consumers (annually consuming less than 150,000 kilowatt hours of electricity) in Ontario.
- ☐ to sell or offer to sell electricity to large-volume consumers (annually consuming more than 150,000 kilowatt hours of electricity) in Ontario.
- ☒ to act as an agent or broker for a retailer with respect to the sale or offering for sale of electricity to large-volume consumers, or as an agent or broker for large-volume consumers with respect to the sale or offering for sale of electricity in Ontario.
- ☐ to act as an agent or broker for a retailer with respect to the sale or offering for sale of electricity to low-volume consumers, or as an agent or broker for low-volume consumers with respect to the sale or offering for sale of electricity in Ontario.

Is the applicant currently providing any of the above listed services?

☒ Yes, provide a list of the services the applicant is currently providing.

The applicant is currently acting as the agent for its affiliate H2O Power Limited Partnership for the sale of power to a large volume consumer.

☐ No, indicate when the applicant intends to provide these services.

(b) Wholesale Market Participation: does the applicant intend to operate in the IESO-administered markets and settle bilateral contracts through the IESO?

☒ Yes

☐ No, please explain how the applicant intends to participate.

(c) Retail Market Participation: does the applicant intend to settle the wholesale market cost of electricity consumed by its customers through a distributor's settlement system?

☐ Yes

☒ No, please explain how the applicant intends to participate.

The retail customer is direct connected and billed directly.

16. Notice

The OEB is authorized, under section 4.14 of the *Ontario Energy Board Act, 1998*, to collect personal information for the purpose of carrying out its duties and exercising its powers under the *Ontario Energy Board Act, 1998* 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.

17. 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 licenced electricity retailer, I must provide information as the OEB may require from time to time.
- (c) I understand and acknowledge that, as a licenced electricity retailer, I may have to meet requirements to disclose information to consumers in accordance with any government regulation made or standard set by the OEB.
- (d) I understand and acknowledge that the issuance of an electricity retailer licence does not guarantee accreditation by the Independent Electricity System Operator (IESO) or distributors.
- (e) I understand and acknowledge that, if I intend to operate in the IESO administered markets and settle bilateral contracts through the IESO, I may have to post security (i.e., financial guarantee bond, security deposit) with the IESO to meet its prudential requirements.
- (f) I understand and acknowledge that, if I choose to settle the wholesale cost of electricity consumed by my customers through a distributor's settlement system, I may have to meet prudential requirements set out in the Retail Settlement Code.

(g) I understand and acknowledge that, as a licensed electricity retailer, I must enter into a service agreement with the distributor before registering customers in a distributor's service area.

Name	Signature	Date
Jim Gartshore	 Jim Gartshore (Oct 21, 2021 15:04 EDT)	Oct 21, 2021
Ron McLeod		Oct 21, 2021
Marc Mantha	 Marc Mantha (Oct 21, 2021 15:10 EDT)	Oct 21, 2021

Must be signed by:

- (a) the proprietor or by at least one partner, officer or director of the organization; and
- (b) each key individual identified in section 8(b)

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 list of all officers and directors, including name and title has been attached to the application form.
- ☒ A corporate organization chart has been attached to the application form.
- ☒ Section 12 has been completed and all relevant financial information has been included.
- ☒ Section 15 has been completed for all key individuals.
- ☒ Each key individual has provided copies of two documents to support their identity. One of the documents includes a photo.