



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

DECISION AND ORDER

EB-2021-0144

3500 STEELES AVENUE EAST INC.

Application for an Electricity Retailer Licence

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

October 28, 2021

DECISION AND ORDER

3500 Steeles Avenue East Inc. (3500 Steeles) filed an application on June 11, 2021, with the Ontario Energy Board (OEB) pursuant to section 60 of the *Ontario Energy Board Act, 1998* (OEB Act), for a renewal of the electricity retailer licence that it was first issued on June 30, 2016, in the EB-2016-0116 proceeding. A renewal would allow the applicant to continue to supply electricity to 3500 Steeles' five commercial tenants at its property located at 3500 Steeles Avenue East, Toronto, Ontario. The applicant also requested a continued exemption from the Electricity Retailer Code of Conduct (Code) for the term of the renewal.

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

3500 Steeles is the registered owner of a commercial property at 3500 Steeles Avenue East in Markham, Ontario. The property is partially served by a transformer station located at 3600 Steeles Avenue East. The transformer station is connected directly to the IESO-controlled grid and has been co-owned by 3500 Steeles since 2016. 3500 Steeles holds a wholesaler licence (EW-2021-0145), as it purchases electricity directly from the IESO-controlled grid. 3500 Steeles then sells the electricity to its five commercial tenants at cost, without mark up, management fees or administration fees.

In the EB-2016-0116 proceeding, the OEB issued 3500 Steeles an electricity retailer licence and granted it an exemption from the Code, in part "on the basis that the sole activity for which 3500 Steeles Avenue East Inc. shall use the electricity retailer licence will be to retail electricity to only the commercial tenants located at 3500 Steeles Avenue East, Toronto, Ontario for a price no greater than the price it purchased the electricity for". As its retailing activities have not changed, and given that it does not intend to serve any consumer other than the commercial tenants of its property, 3500 Steeles requested the exemption from the Code to remain in effect.

FINDINGS

After considering the evidence and assessing the financial viability, technical capability and conduct of the applicant, the OEB finds that it is the public interest to issue an

electricity retailer licence to 3500 Steeles. The licence issued to 3500 Steeles will also provide for a continued exemption from the requirements of the Code on the same conditions as are contained in its previous licence ER-2016-0116, namely that: 3500 Steeles' retail customers shall be restricted to only the commercial tenants at 3500 Steeles Avenue East, Toronto, Ontario; and, 3500 Steeles shall only retail electricity at a price that is no greater than the price it purchased the electricity for.

As a licensed electricity retailer, 3500 Steeles will have to conduct itself in accordance with all other applicable licensing obligations, codes and regulations.

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. During the term of the licence, 3500 Steeles Avenue East Inc. will be exempted from the obligation to comply with the Electricity Retailer Code of Conduct.

DATED at Toronto October 28, 2021

ONTARIO ENERGY BOARD

Original Signed By

Brian Hewson
Vice President, Consumer Protection & Industry Performance