



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

DECISION AND ORDER

EB-2022-0280

RGC ENERGY INC.

Application for an Electricity Retailer Licence (Third Party Generator – Net Metering Only)

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

January 26, 2023

DECISION AND ORDER

On October 27, 2022, RGC Energy Inc. (RGC Energy) filed a complete application with the Ontario Energy Board (OEB) under section 60 of the *Ontario Energy Board Act, 1998* (OEB Act) for an electricity retailer licence. RGC Energy has applied to retail electricity as a “third party generator” for net metering only.

“Third party generator” is defined in section 2 of Ontario Regulation 389/10, (General), made under the *Energy Consumer Protection Act, 2010* to mean:

a supplier who retails electricity produced by a renewable energy generation facility and who is an eligible third party generator within the meaning of *Ontario Regulation 541/05 (Net Metering)* made under the *Ontario Energy Board Act, 1998*. (Net Metering Regulation)

RGC Energy seeks to retail electricity generated by a renewable generation facility under a power purchase agreement only to consumers who are “eligible customers” as defined in the Net Metering Regulation and who enter into a net metering agreement with their electricity distributor.

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

After considering the evidence and assessing the technical capability and financial viability of the applicant, the OEB finds that it is in the public interest to grant the application and issue an electricity retailer licence to RGC Energy. The licence authorizes RGC Energy, solely for the purpose of retailing renewable electricity to eligible customers who are net metered in accordance with the requirements of the Net Metering Regulation. In the event that RGC Energy at some later date wishes to retail electricity to consumers other than in accordance with the Net Metering Regulation, RGC Energy will require an amendment to its electricity retailer licence to include such authorization.

The OEB reminds RGC Energy that, as per section 6.1 of the OEB’s Electricity Retailer Code of Conduct, RGC Energy is required to file with the OEB a certificate of compliance and receive from the OEB the written acknowledgement prior to commencing retailing activity.

IT IS ORDERED THAT:

1. The application by RGC Energy Inc. for an electricity retailer licence is granted, on such conditions as are contained in the attached licence.

DATED at Toronto January 26, 2023

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance