

Ontario Energy  
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Commission de l'énergie  
l'Ontario  
C.P. 2319  
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Toronto ON M4P 1E4  
Téléphone: 1-888-632-6273  
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MAY 02 2018

ONTARIO ENERGY BOARD



## Application for an Electricity Retailer Licence

For Office Use Only	
Application Number	EB - 2018-0169
Date Received	May 2/18

### 1. The Applicant

Legal Name of the Applicant : Early Bird Power LLC

Name to Appear on Licence: Early Bird Power LLC

☒ 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) LLC

Date of formation or incorporation: April 9, 2009

Place of formation or incorporation: Milton

Province/state Massachusetts

Country United States

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 Board on matters related to the licence.

Mr. <input checked="" type="radio"/>	Mrs. <input type="radio"/>	Last Name	First Name	Initial
Miss <input type="radio"/>	Ms. <input type="radio"/>	Pandit	Shaun	K
Other <input type="radio"/>		Title/Position		
		CEO		
Company Name if different from Name to Appear on Licence				

Licence Primary Contact Address:

1 Adams Street

City	Province/State	Country	Postal/Zip Code
Milton	MA	USA	02186

Phone Number	Toll Free (if available)	Fax Number	E-mail Address
617 872 2384	888 SO EARLY	617-322-9283	shaunpandit@earlybirdpower.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. <input checked="" type="radio"/>	Mrs. <input type="radio"/>	Last Name	First Name	Initial
Miss <input type="radio"/>	Ms. <input type="radio"/>	Crossan	Larry	
Other <input type="radio"/>		Title/Position		
		Agent		
Company Name if different from Name to Appear on Licence				
Lexcor Business Lawyers LLP				

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

629 Wellington Street

City	Province	Postal Code
London	ONTARIO	N6A 3R8

Phone Number	Toll Free (if available)	Fax Number	E-mail Address
519-858-2222	888 SO EARLY	519-858-2323	larry@lexcor.ca

### 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 Board will communicate with this person during the course of the application but with the licence primary contact after a licence is issued.

Mr. <input checked="" type="radio"/>	Mrs. <input type="radio"/>	Last Name	First Name	Initial
Miss <input type="radio"/>	Ms. <input type="radio"/>	Pandit	Shaun	K
Other <input type="radio"/>		Title/Position		
		CEO		
		Company Name if different from Name to Appear on Licence		

#### Application Primary Contact Address:

1 Adams Street			
City	Province/State	Country	Postal/Zip Code
Milton	Massachusetts	USA	02186
Phone Number	Toll Free (if available)	Fax Number	E-mail Address
617 872 2384	888 SO EARLY	617-322-9283	shaunpandit@earlybirdpower.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. <input checked="" type="radio"/>	Mrs. <input type="radio"/>	Last Name	First Name	Initial
Miss <input type="radio"/>	Ms. <input type="radio"/>	Crossan	Larry	
Other <input type="radio"/>		Title/Position		
		Agent		
		Company Name if different from Name to Appear on Licence		
		Lexcor Business Lawyers LLP		

#### Customer Complaint or Inquiries Primary Contact Address:

629 Wellington Street		
City	Province	Postal Code
London	ONTARIO	N6A 3R8
Phone Number	Toll Free	Fax Number
519-858-2222		519-858-2323
		E-mail Address
		larry@lexcor.ca

## 5. Type of Application

☒ New licence

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

Licence Number: ER- \_\_\_\_\_ Expiry Date: \_\_\_\_\_

## 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 Ontario Energy Board? (the *Business Corporations Act* definition for affiliate can be found at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)).

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

☒ No, proceed to 7(b).

Licensee Name	Relation to the applicant (e.g., applicant itself, affiliate, partner...etc.)	Licence Number

- (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 Ontario Energy Board?

☒ Yes, provide details in the table below.

☐ No, proceed to 7(c).

Applicant Name	Type of Application	Ontario Energy Board File Number (if applicable)
EarlyBird Power	Gas Marketer Application	

- (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.
Please see attached				

## 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.** Shaun Pandit is the sole owner/controller of EarlyBird Power and handles all of the regulatory, technical, and financial decisions.

Name of Key Individual	Title/position within applicant's business (or identify company if not the applicant's business)
Shaun Pandit	CEO

## 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.

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

Once we are legally licensed by the Ontario Energy Board

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(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.

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(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.

Early Bird Power will mostly work with clients in the retail market and has read through the Retail Settlement Code created by the Board.

Early Bird Power takes no title to the energy used by consumers because we are just working as a broker, not an energy supplier.