



# Electricity Retailer Licence Application

## Kingston CoGen Limited Partnership

### 1. Application Type

#### 1. (a) Application Type

New  Renewal

#### 1. (b) Licence Number

ER-2017-0312

#### 1. (c) Expiry Date

March 14, 2023

### 2. The Applicant

#### 2. (a) Legal Name of the Applicant

Kingston CoGen Limited Partnership

#### 2. (b) Business Classification

Sole Proprietorship  Partnership  Corporation  Other

#### 2. (c) Date of Formation or Incorporation

September 21, 1992

#### 2. (d) Province/State of Formation or Incorporation

Ontario

#### 2. (e) Country of Formation or Incorporation

Canada

#### 2. (f) If the applicant is an individual, are they at least 18 years old?

If the applicant is an individual, the applicant must be at least 18 years old.

Yes  No  Not Applicable

#### 2. (g) Head Office or Business Address of the Applicant

**Street Address:** 5146 Taylor-Kidd Boulevard

**City:** Bath

**Province/State:** Ontario

**Country:** Canada

**Postal/Zip Code:** K0H 1G0

**Website:** www.validuspower.com

**Main Phone Number and Email Address**

**Phone Number:** 6478881590

**Email Address:** info@validuspower.com

**2. (h) Please describe the applicant's current or intended line of business and business activities.**

Applicant is the owner operator of a 110 MW natural gas fired cogeneration facility which participates in the IESO administered markets and also intends to serve on site load to corporate affiliates.

**3. Licence Primary Contact**

The licensee shall designate a person who will act as a primary contact with the Ontario Energy Board (OEB) on matters related to the licence.

**3. (a) Licence Primary Contact**

**Salutation:** Mr.

**Last Name:** Forget

**First Name:** Ryan

**Title/Position:** General Manager, Power Generation

**Company:** Validus Power Corp.

**Phone Number:** 705-242-6931

**Email Address:** ryan.forget@validuspower.com

**3. (b) Is the Licence Primary Contact address the same as the Head Office or Business address?**

Yes       No

**NOTE:** If the Licence Primary Contact Address is not in Ontario, the applicant must also provide the contact information for service purposes in Ontario. The applicant 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 contact for service.

**3. (c) Contact Information for Service in Ontario**

**Address for Service in Ontario**

**Province/State:** Ontario

**Country:** Canada

**4. Application Primary Contact**

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 review process, but with the licence primary contact after a licence is issued.

**4. (a) Is the Application Primary Contact the same as the Licence Primary Contact?**

Yes     No

## 5. 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 phone 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 toll-free phone number for the general public to use.

**5. (a) Customer Complaint or Inquiries Primary Contact**

**Salutation:** Mr.

**Last Name:** Konno

**First Name:** Doug

**Title/Position:** Senior Vice President

**Company:** Validus Power Corp. and all of its subsidiaries (please refer to corporate chart) including Applicant

**Phone Number:** 403-554-0095

**Email Address:** doug.konno@validuspower.com

**Customer Complaint or Inquiries Primary Contact Address**

**Street Address:** 2300-100 Wellington Street West

**City:** Toronto

**Province/State:** Ontario

**Country:** Canada

**Postal/Zip Code:** M5K 1H1

**Website:** www.validuspower.com

## 6. Trade Names

The electricity retailer licence authorizes the licensee to conduct business using the name under which the licence is held (i.e. the applicant's legal name). It also provides for the use of trade names by the licensee.

**6. (a) Does the applicant intend to use trade names?**

Yes     No

## 7. Applicant's Licensing Status and History

**7. (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?**

Yes  No

The *Business Corporations Act* definition for "affiliate" can be found at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).

If yes, please provide current and expired licences.

Licensee Name	Relation to the Applicant (e.g. applicant itself, affiliate, partner, etc.)	Licence Number
Kingston Cogen Limited Partnership	applicant itself	EG-2003-0137 and ER-2017-0312
Bay Power Corp	affiliate	EG-2021-0295 and ER-2021-0329
Kap Power Corp	affiliate	EG-2021-0298 and ER-2021-0331
Iroquois Falls Power Corp	affiliate	EG-2003-0144 and ER-2022-0304
Validus Hosting Inc	affiliate	EW-2022-0228
Kingston Cogen GP Inc (formerly NPIF Kingston Cogen Corp)	applicant itself	EG-2007-0796

7. (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  No

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

Yes  No

7. (d) Is the applicant, an affiliate of the applicant, or an associated entity (e.g. a partnership or limited partnership) an Independent Electricity System Operator (IESO) market participant?

Yes  No

If yes, please provide information on the IESO market participant(s) below.

Registered IESO Organization Name	Relation to the Applicant	Participant/Program/Service
Kingston Cogen Limited Partnership	applicant itself	Generator, Capacity Market Participant
Bay Power Corp	affiliate	Generator, Capacity Market Participant
Kap Power Corp	affiliate	Generator, Capacity Market Participant
Iroquois Falls Power Corp	affiliate	Generator, Capacity Market Participant

## 8. Officers, Directors and Key Individuals

8. (a) Please confirm the number of officers, directors and key individuals in your organization.

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8. (b) In the table below, identify the key individuals that are responsible for executing the following functions for the applicant: matters related to regulatory requirements and conduct, financial matters and technical matters.

Key individuals include the Chief Executive Officer, the Chief Financial Officer, other officers and directors, partners or proprietors.

**NOTES:**

1. List a minimum of 3 key individuals in the table below. Additional information about each key individual is required in Section 17.
2. One of the listed key individuals must sign the completed application. See Section 19 for signing authority details.

Name of Key Individual	Email	Title/Position within Applicant's Business (or identify company if not the Applicant's Business)
Todd Shortt	todd.shortt@validuspower.com	President & CEO
Doug Konno	doug.konno@validuspower.com	Senior Vice President
Shelley Goertz	shelley.goertz@validuspower.com	CFO & Secretary

## 9. Intended Markets and Services

9. (a) Identify the applicant's intended markets and services. Select all that apply.

- 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 sell electricity generated by a renewable generation facility under a Power Purchase Agreement (i.e. retail contract) to a low-volume consumer who will be entering into a net metering arrangement with their distributor. To learn more, click [here](#).
- To sell electricity generated by a renewable generation facility under a Power Purchase Agreement (i.e. retail contract) to a large-volume consumer who will be entering into a net metering arrangement with their distributor. To learn more, click [here](#).
- 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.
- 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.

9. (b) Is the applicant currently providing any of the above listed services?

- Yes  No

**9. (b\_no) If no, indicate when the applicant intends to provide these services.**

Q4 2023

**9. (c) Wholesale Market Participation: Does the applicant intend to operate in the IESO-administered markets and settle bilateral contracts through the IESO?**

Yes  No

**9. (c\_no) If no, please explain how the applicant intends to participate.**

Applicant plans to serve on site load to large volume customers operating data centres.

**9. (d) 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

**9. (d\_no) If no, please explain how the applicant intends to participate.**

Applicant plans to serve on site load to large volume customers operating data centres.

**9. (e) Describe in detail the applicant's current or intended business model and product offering(s). Include details of all products the applicant intends to offer to its customers and explain how the commodity pricing will be determined for each of the applicant's product offering.**

Applicant plans to serve on site load to large volume customers operating data centres. It's intended customer is its affiliate Validus Hosting Inc. ("Validus Hosting"), which is a large volume customer (annually consuming more than 150,000 kilowatt hours of electricity) in Ontario. Validus Hosting will own or lease an on-site data centre from which it will operate a hosting services business and provide its end-clients with electricity, internet connection, cooling, and security for their servers or other hardware. Applicant will supply energy to the data centre(s) on an interruptible basis in order to facilitate performance by Applicant of any obligations it may have in the event Applicant is a market participant in the IESO capacity market program.

For more information regarding the business model of Validus Hosting, please refer to its Wholesaler Licence Application (application #EWLA00026 / case # EB-2022-0228).

Applicant and Validus Hosting will determine pricing for all commodities on a fair value basis taking into account the pricing of hosting services that Validus Hosting offers its end-clients.

**9. (f) Does the applicant intend to acquire any services from the third-party service providers (e.g. customer service, call centre, settlement services)?**

Yes  No

**CONFIDENTIAL SECTIONS**

Information filed as part of or in support of sections 10 to 17 of this application will be treated as confidential and is not available for public view.

**18. Notice**

The OEB is authorized, under section 4.14 of the [OEB Act](#), to collect personal information for the purpose of carrying out its duties and exercising its powers under the OEB Act 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:

**Registrar**

**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.