



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

DECISION AND ORDER

EB-2023-0310

THE CORPORATION OF THE CITY OF KITCHENER – UTILITIES DIVISION

Application for a Gas Marketer Licence

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

October 12, 2023

DECISION AND ORDER

The Corporation of the City of Kitchener - Utilities Division (Kitchener) filed an application on September 29, 2023, with the Ontario Energy Board (OEB), under section 50 of *Ontario Energy Board Act, 1998* (OEB Act), for a renewal of its gas marketer licence.

As part of its licence renewal application, Kitchener requested that the OEB grant the continuance of the current exemptions under the Code of Conduct for Gas Marketers (Code), specifically, Part B - Sections 1, 2, 3, 4, 5, 6, 7, and 10, and the Natural Gas Reporting and Record Keeping Requirements (RRR), Sections 2.1, 2.2, and 2.3.

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 applications without holding a hearing pursuant to section 6(4) of the OEB Act.

The Corporation of the City of Kitchener's application for a renewal of its gas marketer licence is granted. When evaluating applications for gas marketer licences, the OEB focuses its consideration on the requirements set out in *Ontario Regulation 90/99: Licence Requirements - Electricity Retailers and Gas Marketers* under the OEB Act (Regulation). The record in this case indicates that the corporation of the city of Kitchener has met the requirements set out in the Regulation.

With regard to the applicant's request for a continuance of certain exemptions from the Code and the RRR, the applicant is appropriately exempt from sections of the Code and the RRR that govern those activities as the applicant does not operate as a competitive gas marketer under the licence, does not employ salespersons to market gas and does not enter into gas supply contracts with its system supply customers. The OEB finds it in the public interest to approve the applicant's request for a certain exemptions from the Code and the RRR as described in this Decision and Order.

IT IS ORDERED THAT:

1. The application for a gas marketer licence is granted, on such conditions as are contained in the attached licence.

DATED at Toronto, October 12, 2023

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance