



## Gas Marketer Licence Application

ECNG Energy L.P.

### 1. Application Type

#### 1. (a) Application Type

☐ New ☒ Renewal

#### 1. (b) Licence Number

GM-2019-0270

#### 1. (c) Expiry Date

January 22, 2025

#### 1. (d) If the licence has already expired, please advise why the applicant failed to renew the licence before expiry.

The previous legal counsel, Melissa Loucks resigned. Due to an internal oversight, staff at ECNG Energy LP did not discover the expiry date of the licence until after the licence had already expired. ECNG has since contacted the OEB and is making the renewal of the licence a top priority and has requested an extension of the current term of its current gas marketer licence or the issuance of an interim licence.

#### 1. (e) Has the applicant conducted any gas marketing activities after the licence expiry?

☐ Yes ☒ No

### 2. The Applicant

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

ECNG Energy L.P.

#### 2. (b) Business Classification

☐ Sole Proprietorship ☒ Partnership ☐ Corporation ☐ Other

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

August 12, 2004

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

Alberta

#### 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:** 5575 North Service Road, Suite 400

**City:** Burlington

**Province/State:** Ontario

**Country:** Canada

**Postal/Zip Code:** L7L 6M1

**Website:** ecng.com

### Main Phone Number and Email Address

**Phone Number:** 905-635-3298

**Toll Free:** 877-832-3264

**Email Address:** dcocchetto@ecng.com

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

To act as an agent or broker for a gas marketer with respect to the sale or offering for sale of natural gas to low and large volume consumers, or as an agent or broker for low and large volume consumers with respect to the sale or offering for sale of natural gas in Ontario.

## 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:** Cocchetto

**First Name:** Darren

**Initials:** M

**Title/Position:** Legal Counsel

**Company:** ECNG Energy L.P.

**Phone Number:** 519-562-1408

**Email Address:** dcocchetto@ecng.com

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

☐ Yes ☒ No

### Licence Primary Contact Address

**Street Address:** 132 Jordyn's Crt.

**City:** Amherstview

**Province/State:** Ontario

**Country:** Canada

**Postal/Zip Code:** K7N 0A7

**Website:** ecng.com

**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. 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:** Tolhurst

**First Name:** James

**Initials:** J

**Title/Position:** President

**Company:** ECNG Energy L.P.

**Phone Number:** 905-635-3264

**Extension:** 3296

**Toll Free:** 877-832-3264

**Email Address:** jtolhurst@ecng.com

#### Customer Complaint or Inquiries Primary Contact Address

**Street Address:** 5575 North Service Road, Suite 400

**City:** Burlington

**Province/State:** Ontario

**Country:** Canada

**Postal/Zip Code:** L7L 6M1

**Website:** ecng.com

## 6. Trade Names

The gas marketer 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

If yes, please provide a list of trade names the applicant intends to use.

ECNG Energy Group

## 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
ECNG Energy L.P.	Applicant Itself	GM-2019-0270, GM-2014-0341, GM-2009-0336, GM-2004-0341
ECNG Energy L.P.	Applicant Itself	ER-2019-0272, ER-2014-0340, ER-2009-0337

### 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

If yes, please provide other applications.

Applicant Name	Relation to the Applicant	Type of Application	OEB File Number
ECNG ENERGY L.P.	Applicant Itself	Renewal - Electricity Retailer	unknown

### 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

If yes, please provide information about activities in other jurisdictions.

Company Name	Relation to the Applicant	Jurisdiction	Business Activity	Name of Licensing Body and Licence/Registration No. (if applicable)
ECNG Energy L.P.	Applicant Itself	New Brunswick	Gas Marketer	NEUB 614905
ECNG Energy L.P.	Applicant Itself	Manitoba	Gas Marketer	PUB 569, 583, 595, 606

## 8. Officers, Directors and Key Individuals

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

3

**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)
James J Tolhurst	jtolhurst@ecng.com	President
Dave J Duggan	dduggan@ecng.com	Director, Energy Supply
Darren M Cocchetto	dcocchetto@ecng.com	Legal Counsel

## 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 gas to low-volume consumers (consuming 50,000m<sup>3</sup> or less of natural gas per year) in Ontario.
- ☒ To act as an agent or broker for a gas marketer with respect to the sale or offering for sale of natural gas to low-volume consumers in Ontario.
- ☒ To act as an agent or broker for low-volume consumers with respect to the sale or offering for sale of natural gas in Ontario.

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

☒ Yes ☐ No

**9. (b\_ yes) If yes, provide a list of the services the applicant is currently providing.**

Agent for both low and large volume consumers of natural gas.

**9. (c) Please describe in detail the applicant's 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.**

ECNG provides energy procurement services to industrial, commercial and institutional consumers. More specifically, ECNG helps clients with the following:

- 1) Market Analysis & Monitoring: we help clients minimize the risk of peak purchases & increase the opportunity to buy when gas is least expensive.
- 2) Supply Portfolio & Risk Management: we evaluate and review clients' annual gas requirements, daily contract values & delivery points for each facility.
- 3) Delivery Management: we monitor daily gas nominations to pipelines, suppliers & utilities. We also scrutinize gas transportation/storage balances and take appropriate action.
- 4) Budget Certainty: we collect, review & issue invoices to clients' accounts payable departments. If required, we also develop gas cost reporting systems and natural gas budgets.
- 5) Education & Training: we provide continuous education and training about the natural gas market to help clients make better decisions and avoid costly mistakes.

**9. (d) Describe how the applicant purchases, or intends to purchase, its commodity supply, including source(s) of supply, pricing terms, hedging mechanisms and timing of purchase relative to customer supply.**

ECNG provides energy procurement services to industrial, commercial and institutional consumers. More specifically, ECNG helps clients with the following:

- 1) Market Analysis & Monitoring: we help clients minimize the risk of peak purchases & increase the opportunity to buy when gas is least expensive.
- 2) Supply Portfolio & Risk Management: we evaluate and review clients' annual gas requirements, daily contract values & delivery points for each facility.
- 3) Delivery Management: we monitor daily gas nominations to pipelines, suppliers & utilities. We also scrutinize gas transportation/storage balances and take appropriate action.
- 4) Budget Certainty: we collect, review & issue invoices to clients' accounts payable departments. If required, we also develop gas cost reporting systems and natural gas budgets.
- 5) Education & Training: we provide continuous education and training about the natural gas market to help clients make better decisions and avoid costly mistakes.

**9. (e) Describe in detail the applicant's intended approach to customer acquisition. Please include a detailed description of the marketing/advertising campaign that has been planned to begin customer acquisition and list all sales channels intended to be used.**

The Applicant has established strategic working relationships with brokers and associations to enrol clients in the Applicant's client list. The Applicant also utilizes in house customer representatives to cold call prospective clients. The Applicant also participates in various requests for proposals (RFPs).

**9. (f) Does the applicant intend to acquire any services from the third-party 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.