



Ontario
Energy
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DECISION AND ORDER

EB-2025-0197

CHOSEN ENERGY LIMITED

Application for a Gas Marketer Licence

EB-2025-0198

CHOSEN ENERGY LIMITED

Application for an Electricity Retailer Licence

BY DELEGATION, BEFORE: Tracy Garner
Manager, Transmission Policy &
Compliance

November 27, 2025

1 OVERVIEW

On August 18, 2025, Chosen Energy Limited (Chosen Energy) filed a completed application with the Ontario Energy Board (OEB) under section 50 of the *Ontario Energy Board Act, 1998* (OEB Act) for a gas marketer licence and a completed application under section 60 of the OEB Act for an electricity retailer licence. Chosen Energy is seeking the licences so that it will be authorized to sell or offer to sell gas to low-volume consumers, and to sell or offer to sell electricity to both low and large volume consumers, in Ontario.

The OEB combined the applications into one proceeding, pursuant to section 21(5) of the OEB Act. This Decision and Order is being issued by the Delegated Authority without a hearing pursuant to section 6 of the OEB Act.

For the reasons set out below, Chosen Energy's applications for a gas marketer licence and an electricity retailer licence are denied.

2 CONTEXT AND PROCESS

Section 50(1) of the OEB Act states that a person may apply to the OEB for the issuance or renewal of a gas marketer licence. Section 60(1) of the OEB Act states that a person may apply to the OEB for the issuance or renewal of a licence authorizing one or more activities referred to in section 57 of the OEB Act, which includes the retailing of electricity under section 57(d).

In an application for the issuance or renewal of a licence, the OEB generally assesses the financial position, technical capabilities, and past conduct of the applicant. In respect of an application for a gas marketer or electricity retailer licence, specifically, the OEB also must consider the requirements set out in Ontario Regulation 90/99: Licence Requirements – Electricity Retailers and Gas Marketers, made under the OEB Act (O. Reg. 90/99).

Section 2. (1) of O. Reg. 90/99 provides that a person seeking “the issuance or renewal of a licence that allows for the retailing of electricity or the marketing of gas to low-volume consumers must meet all of the following requirements:

1. Having regard to the financial position of the applicant, the applicant can reasonably be expected to be financially responsible in the conduct of business.
2. The past conduct of the applicant affords reasonable grounds for belief that the applicant will carry on business in accordance with law and with integrity and honesty.
3. If the applicant is a corporation, the past conduct of its officers and directors affords reasonable grounds for belief that its business will be carried on in accordance with law and with integrity and honesty.
4. The applicant is not carrying on activities that are, or will be, if the applicant is licensed, in contravention of the Act or the regulations or the codes, orders or rules issued or made by the Board.
5. If the applicant is an individual, the applicant is at least 18 years old.”

O. Reg. 90/99 further provides that if one of the above-listed requirements is not met, the issuance or renewal of a licence “shall be refused”.

Chosen Energy is seeking gas marketing and electricity retailing licences so that it will be authorized to sell gas to low-volume consumers and to sell electricity to both low- and large-volume consumers in Ontario.

3 DECISION

The OEB finds that Chosen Energy has not met the requirements prescribed by section 2. (1) of O. Reg. 90/99. Pursuant to section 2. (2) of O. Reg. 90/99, Chosen Energy's applications for a gas marketer licence and electricity retailer licence are therefore denied. Following a review of the information submitted by Chosen Energy, the OEB finds that the information does not afford reasonable grounds to expect Chosen Energy to be financially responsible in the conduct of its electricity retailing or gas marketing businesses.

As part of its application, an applicant for a licence is required to list a minimum of three key individuals that will be responsible for executing functions pertaining to regulatory compliance, financial management and technical operations, to demonstrate that the applicant has appropriate qualifications and experience to provide the services authorized by the requested licence. The OEB views these functions as necessary to providing electricity retailing and gas marketing services to customers. Where the applicant is unable to meet that minimum requirement for three key individuals, the applicant must explain why.

In response to this requirement, Chosen Energy listed one key individual who is the Director, Chief Executive Officer and 100% owner of the entity. Chosen Energy explained that it plans to hire more people into key roles as the company grows and acquires customers.

An applicant for a gas marketing or electricity retailing licence is also required to file financial statements for itself or, if unavailable, its parent company for the prior two years as part of its application to the OEB, in order to demonstrate that the applicant (or parent, if applicable) is in a healthy financial position. Where such information is not available, an applicant is required to submit at least two of three of the following documents: most recent prospectus, proforma financial statements (including a Balance Sheet and Profit & Loss Statement), and/or a letter of reference from the applicant's bank showing: details respecting any line(s) of credit available to the applicant including dollar limit amount, outstanding amount as of current date, terms and conditions and whether the account is secured; details respecting cash and cash equivalents (names of short-term investments, amounts and expiry dates if applicable; name of saving/chequing accounts, date accounts opened, account balances as of current date); and details of any bank guarantee and/or letter of credit available to the applicant including amounts and the terms and conditions. The documents filed by the applicant with respect to its financial position are treated as confidential by the OEB.

The OEB has reviewed Chosen Energy's application, including the key individual's experience and the documents filed by Chosen Energy with respect to its financial position. Based on this review, the OEB is not satisfied that Chosen Energy possesses the necessary technical, regulatory compliance, and financial management qualifications and experience to operate as either a gas marketer or electricity retailer. Further, Chosen Energy's financial position does not support the hiring or contracting of individuals with such technical, regulatory compliance, and financial management qualifications and experience prior to serving customers. In the OEB's view, a gas marketer or electricity retailer requires suitable experience in these areas in order to manage risks, operate efficiently and accurately plan for financial obligations, which are necessary for meeting the obligations imposed on electricity retailers and gas marketers. Based on Chosen Energy's application, the OEB is not satisfied that Chosen Energy can reasonably be expected to be financially responsible in the conduct of business as an electricity retailer or gas marketer.

In summary, the OEB finds that it is not in the public interest to issue the electricity retailer and gas marketer licences to Chosen Energy. Having found that Chosen Energy has not met the requirement that it can reasonably be expected to be financially responsible in the conduct of business contained in section 2(1) of O. Reg. 90/99, pursuant to section 2(2) of O. Reg. 90/99, Chosen Energy's applications for a gas marketer licence and electricity retailer licence are denied.

The OEB notes that Chosen Energy may apply for an electricity retailer and/or gas marketer licence in the future if its circumstances change. This Decision is being issued without prejudice to the OEB considering a subsequent application by Chosen Energy.

4 ORDER

IT IS ORDERED THAT:

1. Chosen Energy Limited's application for the issuance of a gas marketer licence is denied.
2. Chosen Energy Limited's application for the issuance of an electricity retailer licence is denied.

DATED at Toronto November 27, 2025

ONTARIO ENERGY BOARD

Tracy Garner
Manager, Transmission Policy & Compliance