



Electricity Retailer Licence Application

FNX Mining Company Inc.

1. Application Type

1. (a) Application Type

☒ New ☐ Renewal

2. The Applicant

2. (a) Legal Name of the Applicant

FNX Mining Company Inc.

2. (b) Business Classification

☐ Sole Proprietorship ☐ Partnership ☒ Corporation ☐ Other

2. (c) Date of Formation or Incorporation

June 26, 1984

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: 191 Creditview, Suite 400

City: Vaughan

Province/State: Ontario

Country: Canada

Postal/Zip Code: L4L 9T1

Website: <https://kghm.com/en>

Main Phone Number and Email Address

Phone Number: 705-690-4811

Email Address: jason.poulin@ca.kghm.com

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

Mining Operations

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: Poulin

First Name: Jason

Title/Position: Energy and Maintenance Lead

Company: FNX Mining Company Inc. (KGHM International Ltd.)

Phone Number: 705-690-4811

Email Address: jason.poulin@ca.kghm.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: 94 Fairbank E Road

City: Sudbury

Province/State: Ontario

Country: Canada

Postal/Zip Code: P0M 3E0

Website: <https://kghm.com/en>

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: Poulin

First Name: Jason

Title/Position: Energy and Maintenance Lead

Company: FNX Mining Company Inc. (KGHM International Ltd.)

Phone Number: 705-690-4811

Email Address: jason.poulin@ca.kghm.com

Customer Complaint or Inquiries Primary Contact Address

Street Address: 94 Fairbank E Road

City: Sudbury

Province/State: Ontario

Country: Canada

Postal/Zip Code: P0M 3E0

Website: <https://kghm.com/en>

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.

If yes, please provide current and expired licences.

Licensee Name	Relation to the Applicant (e.g. applicant itself, affiliate, partner, etc.)	Licence Number
FNX Mining Company Inc.	Applicant itself	EW-2019-0236

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

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)
Robinson Nevada Mining Company	Indirect subsidiary of KGHM International Ltd.	Nevada - Mt. Wheeler Power	Open Pit Mining Operations	N/A

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
FNX Mining Company Inc.	Applicant Itself	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)
Marek Bednarz	Marek.Bednarz@ca.kghm.com	President & CEO
Steve Dunlop	steve.dunlop@ca.kghm.com	Director and Head of Operations & Victoria Project
John Haynes	john.haynes@us.kghm.com	Director
Wojciech Urbanczyk	Wojciech.Urbanczyk@ca.kghm.com	Head of Finance

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.

Q3,Q4-2026

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. (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. (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.

FNX Mining Inc. intends to operate its mining operations in Sudbury Ontario Canada while allowing a 3rd party mining company to connect as a feeder circuit to its wholly owned and operated grid connected electrical substation. All costs of electricity would be a

prorated flow-through of the costs of electricity consumed by the 3rd party. Such flow-through of costs will be determined by the same mechanisms as the IESO determines the cost for FNX Mining Inc.

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.