



**ORDER NUMBER**  
**A-12-16**

IN THE MATTER OF  
the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

Summitt Energy (BC) LP  
Application for Renewal of its Gas Marketer Licence  
under the Customer Choice Program

**BEFORE:**

D. M. Morton, Commissioner  
D. J. Enns, Commissioner  
W. M. Everett, Commissioner  
H. G. Harowitz, Commissioner  
R. I. Mason, Commissioner  
R. D. Revel, Commissioner

on October 20, 2016

**ORDER**

**WHEREAS:**

- A. Section 71.1(1) of the *Utilities Commission Act* (Act) requires a person who is not a public utility and who performs a gas marketing activity for low-volume consumers to hold a Gas Marketer License issued by the British Columbia Utilities Commission (Commission);
- B. The Commission established Rules for Gas Marketers pursuant to subsection 71.1(10) of the Act to assist the administration of Gas Marketer licensing. The Commission reviews and updates the Rules for Gas Marketers from time to time, most recently on October 18, 2013 by Order A-12-13;
- C. On August 31, 2016, Summitt Energy (BC) LP (Summitt Energy) applied to the Commission for renewal of its Gas Marketer Licence for the period November 1, 2016 to October 31, 2017. The Application for renewal of its Licence to Market Natural Gas (Application) included the payment of the \$1,000 Application Fee and a \$250,000 proof of security, pursuant to Sections 2 and 4 respectively, of the Licence Requirements;
- D. In the Application, Summitt Energy requests that the Commission hold the Application confidential on the basis that the contents are commercially sensitive; and
- E. The Commission reviewed Summitt Energy's Application and relying upon the information and representations made by Summitt Energy finds that renewal of its Gas Marketer Licence, subject to certain conditions, is warranted.

**NOW THEREFORE** pursuant to section 71.1 of the *Utilities Commission Act* and Order A-12-13:

1. A Gas Marketer Licence is approved for Summitt Energy (BC) LP for the period of November 1, 2016 to October 31, 2017.
2. This licence is subject to the following conditions:
  - a. Summitt Energy must carry out the undertakings as provided in its Application for a Gas Marketer Licence and as set out in the Rules for Gas Marketers established by Order A-12-13.
  - b. Summitt Energy must comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of FortisBC Energy Inc. Summitt Energy shall ensure that its employees, salespersons or other representatives of its products and services comply with the standards required of a Gas Marketer as set out in the Code of Conduct for Gas Marketers and Summitt Energy shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services.
  - c. Summitt Energy must maintain a \$250,000 proof of security in full force and effect for the duration of the Licence.
  - d. Summitt Energy must file with the Commission, pursuant to item 10.0 of the Rules for Gas Marketers, the following information:
    - i. The most recent version of the documents submitted to satisfy Section 7, Financial Qualifications, of the Licence Requirements; and
    - ii. The most recent version of the documents submitted under Sections (8), (9), (10), (11) and (12) of the Licence Requirements for the Commission's comment and approval, as necessary, prior to commercial distribution and/or use.
  - e. The Commission may, at any time and without prior notice to Summitt Energy, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, considers sufficient.
  - f. The Gas Marketer Licence and all copies of it shall remain the property of the Commission. Summitt Energy will return these documents forthwith upon written request from the Commission.
3. The British Columbia Utilities Commission will hold the Summitt Energy (BC) LP Application confidential on the basis that it contains commercially sensitive information.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 21<sup>st</sup> day of October 2016.

BY ORDER

*Original signed by:*

D. M. Morton  
Commissioner

Attachment



British Columbia  
Utilities Commission

LICENCE NO. A-12-16

# GAS MARKETER LICENCE

## *Summitt Energy (BC) LP*

is granted a licence for the purpose of providing advice to, or acting on behalf of, a low volume consumer <sup>(1)</sup> purchasing gas directly in the Province of British Columbia subject to the terms and conditions contained in Commission Order A-12-16, which are set out in the reverse of the Licence.

**BRITISH COLUMBIA UTILITIES COMMISSION**

*Original signed by:*

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D. M. Morton, Commissioner

ISSUED: October 20, 2016

EFFECTIVE: November 1, 2016

EXPIRES: October 31, 2017

(1) As described in the Rules for Gas Marketers

This Gas Marketer Licence is subject to the following conditions:

- a. Summitt Energy must carry out the undertakings as provided in its Application for a Gas Marketer Licence and as set out in the Rules for Gas Marketers established by Order A-12-13.
- b. Summitt Energy must comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of FortisBC Energy Inc. Summitt Energy shall ensure that its employees, salespersons or other representatives of its products and services comply with the standards required of a Gas Marketer as set out in the Code of Conduct for Gas Marketers and Summitt Energy shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services.
- c. Summitt Energy must maintain a \$250,000 proof of security in full force and effect for the duration of the Licence.
- d. Summitt Energy must file with the Commission, pursuant to item 10.0 of the Rules for Gas Marketers, the following information:
  - i. The most recent version of the documents submitted to satisfy Section 7, Financial Qualifications, of the Licence Requirements; and
  - ii. The most recent version of the documents submitted under Sections (8), (9), (10), (11) and (12) of the Licence Requirements for the Commission's comment and approval, as necessary, prior to commercial distribution and/or use.
- e. The Commission may, at any time and without prior notice to Summitt Energy, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, considers sufficient.
- f. The Gas Marketer Licence and all copies of it shall remain the property of the Commission. Summitt Energy will return these documents forthwith upon written request from the Commission.