

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** A-18-08



SIXTH FLOOR, 900 HOWE STREET, BOX 250
VANCOUVER, B.C. V6Z 2N3 CANADA
web site: <http://www.bcuc.com>

TELEPHONE: (604) 660-4700
BC TOLL FREE: 1-800-663-1385
FACSIMILE: (604) 660-1102

IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473

and

An Application by MXenergy (Canada) Ltd.
for Renewal of its Gas Marketer Licence

BEFORE: L.F. Kelsey, Commissioner
 P.E. Vivian, Commissioner October 10, 2008

O R D E R

WHEREAS:

- A. On September 16, 2008 MXenergy (Canada) Ltd. ("MXenergy") applied to the British Columbia Utilities Commission ("Commission") for a Gas Marketer Licence. The Application for a Licence to Market Natural Gas ("Application") included the payment of the \$1,000 application fee and a \$250,000 Letter of Credit, pursuant to items 2 and 3 respectively, of the Licence Requirements; and
- B. The Commission has reviewed MXenergy's Application and relying upon the information and representations made by MXenergy, finds that approval of a Gas Marketer Licence subject to conditions is warranted.

NOW THEREFORE pursuant to section 71.1(6) of the Utilities Commission Act the Commission orders as follows:

1. The Commission issues to MXenergy a Gas Marketer Licence for the period November 1, 2008 to October 31, 2009.
2. The Gas Marketer Licence is subject to the following conditions:
 - 2.1 MXenergy will carry out the undertakings as set out in the Application for a Licence to Market Natural Gas dated September 16, 2008 and the Rules for Gas Marketers.
 - 2.2 MXenergy will comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of Terasen Gas Inc.

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER A-18-08**

2

- 2.3 MXenergy will maintain a Letter of Credit or acceptable substitute in full force and effect for the duration of the Licence.
- 2.4 MXenergy will maintain a Working Capital position of at least \$50,000 and a Current Ratio of current assets to current liabilities of at least 1.10.
- 2.5 The Commission may, at any time and without prior notice to MXenergy, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, deems and considers sufficient.
- 2.6 The Gas Marketer Licence and all copies of it shall remain the property of the Commission and MXenergy will return these documents forthwith upon written request from the Commission.

DATED at the City of Vancouver, in the Province of British Columbia, this 10th day of October 2008.

BY ORDER

Original signed by:

L.F. Kelsey
Commissioner

Attachment



LICENCE NO. A-18-08

GAS MARKETER LICENCE

MXenergy (Canada) Ltd.

is granted a licence for the purpose of providing advice to, or acting on behalf of, a low volume consumer⁽¹⁾ purchasing gas directly in the Province of British Columbia subject to the terms and conditions contained in Commission Order A-18-08, which are set out in the reverse of the Licence.

BRITISH COLUMBIA UTILITIES COMMISSION

Original signed by

L.F. Kelsey, Commissioner

ISSUED: October 10, 2008

EXPIRES: November 1, 2008 to October 31, 2009

(1) As described in the Rules for Gas Marketers.

The Licence is subject to the following conditions:

MXenergy will carry out the undertakings as set out in the Application for a Licence to Market Natural Gas dated September 16, 2008 and the Rules for Gas Marketers.

MXenergy will comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of Terasen Gas Inc.

MXenergy will maintain a Letter of Credit or acceptable substitute in full force and effect for the duration of the Licence.

MXenergy will maintain a Working Capital position of at least \$50,000 and a Current Ratio of current assets to current liabilities of at least 1.10.

The Commission may, at any time and without prior notice to MXenergy, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, deems and considers sufficient.

The Gas Marketer Licence and all copies of it shall remain the property of the Commission and MXenergy will return these documents forthwith upon written request from the Commission.