

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** A-14-09A



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

and

An Application by Just Energy (B.C.) Limited Partnership
for an Amendment of its Gas Marketer Licence

BEFORE: D.A. Cote, Commissioner December 10, 2009

O R D E R

WHEREAS:

- A. On August 18, 2009 Just Energy (B.C.) Limited Partnership ("Just Energy") applied to the British Columbia Utilities Commission ("Commission") for renewal of its Gas Marketer Licence. 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 Letter of Credit, pursuant to items 2 and 3 respectively, of the Licence Requirements; and
- B. On October 1, 2009, relying upon the information and representations made by Just Energy, the Commission approved Gas Marketer Licence A-14-09 subject to conditions with an expiry date of December 31, 2009. Specifically, Condition 2.7 of the Licence stated that Just Energy must file with the Commission its audited financial statement for the recently concluded year as soon as available and no later than December 31, 2009; and
- C. On November 30, 2009 Just Energy filed with the Commission its audited financial statement for the year-ended March 31, 2009; and
- D. Just Energy's letter of November 25, 2009 to the Commission also requested an amendment to its Licence to allow it to do business under the name Commerce Energy for non-residential commercial customers. Just Energy noted that it will continue to service residential customers under the Just Energy brand.

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

1. The Commission issues to Just Energy an amended Gas Marketer Licence for the period of December 10, 2009 to October 31, 2010. The amended Licence will note that in addition to doing business under Just Energy (B.C.) Limited Partnership for residential customers it is also doing business as Commerce Energy for commercial customers.

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2. The Gas Marketer Licence will contain the same conditions of its current Licence A-14-09, the removal of its previous Condition 2.7, and renumbering of subsequent conditions.
 - 2.1 Just Energy will carry out the undertakings as set out in the Application for a Licence to Market Natural Gas dated August 18, 2009 and the Rules for Gas Marketers.
 - 2.2 Just Energy will comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of Terasen Gas Inc.
 - 2.3 Just Energy will maintain a Letter of Credit or acceptable substitute in full force and effect for the duration of the Licence.
 - 2.4 Just Energy 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 Just Energy 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 Just Energy will return these documents forthwith upon written request from the Commission.
 - 2.7 Just Energy must file with the Commission unaudited quarterly financial statements no later than 45 days after the end of the relevant quarter, pursuant to item 5 of the Licence Requirements.
 - 2.8 Just 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. Just Energy shall be responsible for the non-compliance of its employees, salespersons or other representatives of its products and services with the Code of Conduct for Gas Marketers.

DATED at the City of Vancouver, in the Province of British Columbia, this 10th day of December 2009.

BY ORDER

Original signed by:

D.A. Cote
Commissioner

Attachment