



**EB-2012-0276**  
**EB-2012-0316**

**IN THE MATTER OF** the *Ontario Energy Board Act*,  
1998, S.O. 1998, c. 15, (Schedule B);

**AND IN THE MATTER OF** an application by  
Negawatt Business Solutions, Inc. for an electricity  
retailer licence.

**AND IN THE MATTER OF** an application by  
Negawatt Business Solutions, Inc. for a gas marketer  
licence.

By delegation, before: Jennifer Lea

## **DECISION AND ORDER**

January 24, 2013

Negawatt Business Solutions, Inc. ("Negawatt") filed an application on June 8, 2012 with the Ontario Energy Board under section 60 of the *Ontario Energy Board Act, 1998* (the "Act") for an electricity retailer licence . On July 11, 2012 Negawatt filed a gas marketer licence application under section 50 of the Act. The Board assigned the applications file numbers EB-2012-0276 and EB-2012-0316, respectively. Due to their similar nature, the applications were combined into one proceeding pursuant to section 21(5) of the Act.

The original applications were incomplete and Negawatt filed supplementary information to complete the applications on October 2, 2012.

The Board issued a Notice of Application and Written Hearing on October 23, 2012. Board staff filed written interrogatories on November 13, 2012. Negawatt responded to Board staff's interrogatories on December 3, 2012. Board staff filed a submission on

the application on December 11, 2012 and Negawatt filed a reply submission on December 14, 2012.

In their submission, Board staff submitted that Negawatt has adequate technical and financial capabilities to operate effectively in the Ontario market. However, Board staff noted that Negawatt has not previously been licensed in Ontario and has no past history of conducting business in Ontario. In their submission Board staff requested that Negawatt confirm its understanding of all applicable legal and regulatory requirements including the fact that telemarketing or telesales is not a sales channel in which retail energy contracts can be entered into in Ontario. In its reply submission, Negawatt confirmed its awareness of all legal and regulatory obligations and assured its compliance with applicable legal and regulatory requirements.

Based on the evidence and submissions on the record, I find that it is in the public interest to grant Negawatt an electricity retailer licence and a gas marketer licence, under Parts V and IV of the Act.

**IT IS THEREFORE ORDERED THAT:**

1. The application for an electricity retailer licence is granted, on such conditions as are contained in the attached licence.
2. The application for a gas marketer licence is granted, on such conditions as are contained in the attached licence.

**DATED** at Toronto, January 24, 2013

ONTARIO ENERGY BOARD

*Original signed by*

Jennifer Lea  
Counsel, Special Projects