



EB-2012-0368

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 2001
RBCP Canadian GP Limited as a general partner of
RBC Energy Services L.P. for a Gas Marketer
licence.

By delegation, before: Theodore Antonopoulos

DECISION AND ORDER

November 29, 2012

2001 RBCP Canadian GP Limited as a general partner of RBC Energy Services L.P. ("RBC") filed an application dated September 10, 2012 with the Ontario Energy Board under section 60 of the *Ontario Energy Board Act, 1998* for renewal of its Gas Marketer licence.

The Board's Notice of Application and Written Hearing was published on October 4, 2012. On October 25, 2012 Board staff filed a submission on the application. In its submission, Board staff stated it did not have concerns with licensing the applicant. However, Board staff indicated that despite RBC's stated intention to market to large volume consumers only, the granting of a gas marketer licence would enable the applicant to market natural gas to low volume consumers. Board staff noted that licensed electricity retailers and licensed gas marketers may not enter into, renew, amend or extend the term of a contract with a low volume consumer until such time as the marketer or retailer has filed with the Board a Certificate of Compliance in the required form and has received from the Board written acknowledgement of it. Board

staff requested that the applicant should confirm its knowledge of the obligation to file a Certificate of Compliance as well as compliance with all relevant codes, regulations, and reporting requirements.

On November 1, 2012 RBC responded to Board staff's submission and confirmed its knowledge of the obligation to file a Certificate of Compliance if it intends to market natural gas to low-volume consumers in the future, and its compliance with all relevant codes, regulations and reporting requirements.

After considering the application, it has been found to be in the public interest to issue the Gas Marketer licence under Part IV of the Act. While it is generally not the Board's practice to grant licences which the applicant has indicated may remain inactive, I accept RBC's reasons for applying for the gas marketer licence as a precautionary measure. I note that RBC has marketed to low volume consumers in the past and the granting of a renewed licence will enable them to serve low volume consumers going forward whether it be new targeted low volume customers or existing high volume customers whose consumption has dropped below the low volume threshold.

IT IS THEREFORE ORDERED THAT:

1. The application for a Gas Marketer licence is granted:
 - a. On such conditions as are contained in the attached licence; and,
 - b. On the condition that should consumption of an RBC customer fall within the low volume threshold at any time during the term of the licence, RBC will forthwith file a Certificate of Compliance with the Board.

DATED at Toronto, November 29, 2012.

ONTARIO ENERGY BOARD

Original Signed By

Theodore Antonopoulos
Manager, Electricity Rates