



EB-2009-0188

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 Energhx
Green Energy Corporation for a Gas Marketer
licence.

By delegation, before: Jennifer Lea

DECISION AND ORDER

Energhx Green Energy Corporation filed an application dated June 22, 2009 with the Ontario Energy Board under section 50 of the *Ontario Energy Board Act*, 1998 for a Gas Marketer licence.

The Board's Notice of Application and Written Hearing for a Gas Marketer licence was posted on August 27, 2009. No parties responded to the Notice of Application and Written Hearing.

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. The standard term for a licence is five years. I am issuing this licence for a term of one year. The financial information provided as part of the application gave rise to concerns about the applicant's ability to finance the business. However, the applicant's business, according to the application, is focused on providing energy audits, alternative energy solutions and demand management. One of the objectives of the Ontario Energy Board in relation to natural gas is the promotion of energy conservation and energy efficiency, and barriers to marketing energy conservation services should be minimized where appropriate. As a new entrant to the market, the applicant can take the opportunity to improve its financial situation and bring evidence of that improvement in any licence renewal application it chooses to make at the end of the licence term.

As noted above, the applicant plans to offer a variety of services to gas consumers. This licence relates only to gas marketing, and to no other services that may be provided by the applicant. Licensees must familiarize themselves with the Board's Gas Marketers Code of Conduct which protects consumers from misrepresentation. The licensee must not suggest to consumers that Energhx is authorized by this Board under this licence to provide any energy services other than gas marketing.

IT IS THEREFORE ORDERED THAT:

The application for a Gas Marketer licence is granted, on such conditions as are contained in the attached licence.

DATED at Toronto, October 22, 2009.

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects