



**EB-2013-0324**

**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  
Canadian RiteRate Energy Corporation for a gas  
marketer licence.

By delegation, before: Jennifer Lea

## **DECISION AND ORDER**

**December 19, 2013**

Canadian RiteRate Energy Corporation (“RiteRate”) filed an application on August 29, 2013 with the Ontario Energy Board under section 50 of the *Ontario Energy Board Act*, 1998 (the “Act”) for a gas marketer licence renewal. The Board assigned the application file number EB-2013-0324.

The Board issued a Notice of Application and Hearing on September 20, 2013, inviting intervention in the hearing and comments on the application. No parties responded to the notice. Only Board staff participated in the hearing. Board staff filed written interrogatories on October 22, 2013. RiteRate responded to Board staff interrogatories on November 4, 2013. Board staff filed a submission on November 14, 2013. RiteRate did not file a reply submission.

The Board notes that following the enactment of the *Energy Consumer Protection Act*, 2010 on January 1, 2011, the Board commenced a series of compliance inspections of certain electricity retailers and gas marketers, including RiteRate. On August 25, 2011, the Board issued a Notice of Intention to Make an Order against RiteRate for contraventions of section 12 of the ECPA and section 7 of Ontario Regulation 389/10

related to contract content requirements. In response to the Notice of Intention, RiteRate provided a written Assurance of Voluntary Compliance which was accepted by the Board in an Order dated September 12, 2011, and RiteRate paid an administrative monetary penalty in the amount of \$5,000.

### **Board Findings**

In gas marketer licence renewal applications, key areas for consideration by the Board include the financial position, technical capability and the conduct of the applicant. In its submission, Board staff submitted that RiteRate has the adequate technical and financial capabilities to operate effectively in the Ontario market, and that there is no evidence to suggest that RiteRate is not conducting itself in a manner consistent with its regulatory and legal requirements. Board staff supported the renewal of RiteRate's gas marketer licence for a 5 year term.

Based on the evidence, I find that it is in the public interest to grant RiteRate a gas marketer licence under Part IV of the Act. I have no concerns regarding finances or technical competency, and the evidence regarding conduct at this time is satisfactory. As Board staff noted, there have been very few complaints to the Board regarding RiteRate's conduct in the last two years, and RiteRate appears to be adhering to its commitment to comply with legal and regulatory requirements.

### **IT IS THEREFORE ORDERED THAT:**

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

**DATED** at Toronto, December 19, 2013

ONTARIO ENERGY BOARD

*Original signed by*

Jennifer Lea  
Counsel, Special Projects