



EB-2014-0136

EB-2014-0151

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 Link Energy Supply Inc. for an electricity retailer licence;

AND IN THE MATTER OF an application by Link Energy Supply Inc. for a gas marketer licence.

By delegation, before: Theodore Antonopoulos

DECISION AND ORDER

September 4, 2014

Link Energy Supply Inc. (“Link Energy”) filed two complete applications on May 2, 2014 with the Ontario Energy Board (the “Board”) under section 60 of the *Ontario Energy Board Act, 1998* (the “Act”) for an electricity retailer licence and under section 50 of the Act for a gas marketer licence. The Board assigned the application file numbers EB-2014-0136 and EB-2014-0151, respectively. Due to their similar nature, the applications were combined into one proceeding pursuant to section 21(5) of the Act.

The Board issued a combined Notice of Application and Hearing on May 26, 2014, inviting interventions and comments on the application. No parties responded to the Notice. Board staff participated in the hearing. Board staff filed written interrogatories on June 24, 2014. Link Energy responded to the interrogatories on July 17, 2014. Board staff filed a submission on August 12, 2014. Link Energy did not file a reply submission.

Board Findings

In order to obtain the Board licences to retail electricity and market natural gas to low-volume consumers, an applicant must establish that it meets the minimum requirements set out in the O. Reg. 90/99 “Licence Requirements – Electricity Retailers and Gas Marketers” made under the Act:

1. Having regard to the financial position of the applicant, the applicant can reasonably be expected to be financially responsible in the conduct of business.
2. The past conduct of the applicant affords reasonable grounds for belief that the applicant will carry on business in accordance with law and with integrity and honesty.
3. If the applicant is a corporation, the past conduct of its officers and directors affords reasonable grounds for belief that its business will be carried on in accordance with law and with integrity and honesty.
4. The applicant is not carrying on activities that are, or will be, if the applicant is licensed, in contravention of the OEB Act or the regulations or the codes, orders or rules issued or made by the Board.

In its submission, Board staff submitted that Link Energy can reasonably be expected to be financially responsible in the conduct of its business and has adequate technical capabilities to operate in the Ontario market. Link Energy has not previously been licensed in Ontario and has no past history of conducting business in Ontario. However, the applicant has demonstrated that all key individuals identified in the applications have extensive experience in the energy sector. In its reply to Board staff interrogatories, the applicant provided detailed descriptions of the experience on the part of its key individuals in addressing legal and regulatory obligations.

I find that it is in the public interest to grant Link Energy an electricity retailer licence under Part V of the Act and a gas marketer licence under Part 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, **September 4, 2014**

ONTARIO ENERGY BOARD

Original Signed By

Theodore Antonopoulos
Manager, Electricity Rates and Accounting