



LETTER NO. L-70-09

SIXTH FLOOR, 900 HOWE STREET, BOX 250
VANCOUVER, B.C. CANADA V6Z 2N3
TELEPHONE: (604) 660-4700
BC TOLL FREE: 1-800-663-1385
FACSIMILE: (604) 660-1102

ERICA M. HAMILTON
COMMISSION SECRETARY
Commission.Secretary@bcuc.com
web site: <http://www.bcuc.com>

Log No. 30499

VIA E-MAIL

smartenergybc@gmail.com

September 3, 2009

David Mah
Director
Smart Energy (BC) LP
200-7964 Winston Street
Burnaby, BC V5A 2H5

Dear Mr. Mah:

Re: Smart Energy (BC) Ltd ("Smart Energy")
Application for a Licence to Market Natural Gas – Financial Statements

The Commission is in receipt of Smart Energy's Application for a Licence to Market Natural Gas ("Application") dated August 27, 2009.

Article 26 of the Code of Conduct for Gas Marketers ("Code") states, in part, that:

"The first page of the agreement between the Gas Marketer and a Consumer must accurately summarize and state the essential elements of the Offer including: ...Penalties and terms for early termination of the contract, including minimum contract term, and the requirement that the Consumer's Agreements may only be terminated on their anniversary date; and Conditions which may affect the price or term of the Offer."

The Commission notes that Smart Energy's contract does not comply with Article 26 of the Code. Smart Energy should provide a revised contract that conforms to the requirements of the Code and must file it with the Commission before its Application will be reviewed.

Please provide a copy of the contract to the Commission on or before **September 18, 2009**.

Yours truly,

Original signed by:

Erica M. Hamilton