

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER A-2-10**

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**IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473**

and

**An Application by Planet Energy (B.C.) Corp.
for Approval of its Initial Gas Marketer Licence**

BEFORE: L.F. Kelsey, Commissioner January 28, 2010
D.A. Cote, Commissioner

O R D E R

WHEREAS:

- A. On December 15, 2009 Planet Energy (B.C.) Corp. ("Planet") applied to the British Columbia Utilities Commission ("Commission") for approval of an initial Gas Marketer Licence ("Application"). The Application included the payment of the \$1,000 Application Fee and a \$250,000 Letter of Credit, pursuant to items 2 and 3 respectively, of the Licence Requirements; and
- B. The Commission, by letter dated January 7, 2010, noted that it could not proceed in reviewing the Application due to incomplete submission of licence requirements. On January 12, 2010 Planet submitted the required information; and
- C. The Commission has reviewed Planet's Application and relying upon the information and representations made by Planet, finds that approval of a Gas Marketer Licence, subject to conditions, is warranted.

NOW THEREFORE pursuant to section 71.1(6) of the *Utilities Commission Act* the Commission orders as follows:

1. The Commission issues to Planet a Gas Marketer Licence for the period January 28, 2010 to October 31, 2010.
2. The Gas Marketer Licence is subject to the following conditions:

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- 2.1 Planet will carry out the undertakings as set out in the Application for a Gas Licence to Market Natural Gas dated December 15, 2009, resubmitted on January 12, 2010, and the Rules for Gas Marketers.
- 2.2 Planet will comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of Terasen Gas Inc.
- 2.3 Planet will maintain a Letter of Credit or acceptable substitute in full force and effect for the duration of the Licence.
- 2.4 Planet will maintain a Working Capital position of at least \$50,000 and a Current Ratio of current assets to current liabilities of at least 1.10.
- 2.5 The Commission may, at any time and without prior notice to Planet, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, deems and considers sufficient.
- 2.6 The Gas Marketer Licence and all copies of it shall remain the property of the Commission and Planet will return these documents forthwith upon written request from the Commission.
- 2.7 Planet must file with the Commission unaudited monthly financial statements no later than 30 days after the end of the relevant month.
- 2.8 Planet must file with the Commission its audited financial statement for each concluded fiscal year as soon as available and no later than 90 calendar days after the end of the relevant fiscal year.
- 2.9 The Licence only allows for internet-based marketing. Planet will re-apply for an amendment to this Licence before it engages in any form of marketing other than through internet to solicit and enrol customers under the Customer Choice Program.
- 2.10 Planet shall ensure that its employees, salespersons or other representatives of its products and services comply with the standards required of a Gas Marketer as set out in the Code of Conduct for Gas Marketers. Planet shall be responsible for the non-compliance of its employees, salespersons or other representatives of its products and services with the Code of Conduct for Gas Marketers.

DATED at the City of Vancouver, in the Province of British Columbia, this 28th day of January 2010.

BY ORDER

Original signed by:

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D.A. Cote
Commissioner

Attachment



LICENCE NO. A-2-10

GAS MARKETER LICENCE

Planet Energy (B.C.) Corp.

is granted a licence for the purpose of providing advice to, or acting on behalf of, a low volume consumer ⁽¹⁾ purchasing gas directly in the Province of British Columbia subject to the terms and conditions contained in Commission Order A-2-10, which are set out in the reverse of the Licence.

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Original signed by:

D.A. Cote, Commissioner

ISSUED: January 28, 2010

EFFECTIVE: January 28, 2010 to October 31, 2010

(1) As described in the Rules for Gas Marketers

3. The Gas Marketer Licence is subject to the following conditions:

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- 2.2 Planet will comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of Terasen Gas Inc.
- 2.3 Planet will maintain a Letter of Credit or acceptable substitute in full force and effect for the duration of the Licence.
- 2.4 Planet will maintain a Working Capital position of at least \$50,000 and a Current Ratio of current assets to current liabilities of at least 1.10.
- 2.5 The Commission may, at any time and without prior notice to Planet, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, deems and considers sufficient.
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