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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER A-18-11**

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

and

**An Application by Summitt Energy BC LP
for Renewal of its Gas Marketer Licence
under the Customer Choice Program**

BEFORE: L.F. Kelsey, Commissioner
D. Morton, Commissioner

October 6, 2011

O R D E R

WHEREAS:

- A. On August 26, 2011, Summitt Energy BC LP (Summitt Energy) applied to the British Columbia Utilities Commission (Commission) for renewal of its Gas Marketer Licence. The Application for renewal of its Licence to Market Natural Gas (Application) included the payment of the \$1,000 Application Fee and a \$250,000 proof of security, pursuant to Sections 2 and 4 respectively, of the Licence Requirements;
- B. The Commission has reviewed Summitt Energy's Application and relying upon the information and representations made by Summitt Energy, finds that renewal of its 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 Summitt Energy a Gas Marketer Licence for the period November 1, 2011 to October 31, 2012.
- 2. This licence is subject to the following conditions:
 - a. Summitt Energy will carry out the undertakings as set out in the revised Rules for Gas Marketers and Application for a Licence to Market Natural Gas which was issued on July 25, 2011.
 - b. Summitt Energy will comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of FortisBC Energy Inc. Summitt Energy shall ensure that its employees, salespersons or other representatives of its products and services comply with the standards required of a Gas Marketer

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** A-18-11

2

as set out in the Code of Conduct for Gas Marketers and Summitt Energy shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services.

- c. Summitt Energy will maintain a \$250,000 performance security in full force and effect for the duration of the Licence.
- d. Summitt Energy will file with the Commission, pursuant to item 10.0 of the Rules for Gas Marketers, the following information as it becomes available:
 - i. Unaudited quarterly financial statements;
 - ii. The most recent version of the documents submitted to satisfy Section 7, Financial Qualifications, of the Licence Requirements;
 - iii. The most recent version of the documents submitted under Sections (8), (9), (10), (11) and (12) of the Licence Requirements.
- e. The Commission may, at any time and without prior notice to Summitt Energy, 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.
- f. The Gas Marketer Licence and all copies of it shall remain the property of the Commission. Summitt Energy will return these documents forthwith upon written request from the Commission.

DATED at the City of Vancouver, in the Province of British Columbia, this 7th day of October 2011.

BY ORDER

Original signed by:

D. Morton
Commissioner

Attachment



LICENCE No. A-18-11

GAS MARKETER LICENCE

SUMMITT ENERGY BC LP

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-18-11, which are set out in the reverse of the Licence.

BRITISH COLUMBIA UTILITIES COMMISSION

Original signed by:

D. Morton, Commissioner

ISSUED: November 1, 2011

EXPIRES: October 31, 2012

(1) As described in the Rules for Gas Marketers

This Gas Marketer Licence is subject to the following conditions:

- a. Summitt Energy will carry out the undertakings as set out in the revised Rules for Gas Marketers and Application for a Licence to Market Natural Gas which was issued on July 25, 2011.
- b. Summitt Energy will comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of FortisBC Energy Inc. Summitt Energy 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 and Summitt Energy shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services.
- c. Summitt Energy will maintain a \$250,000 performance security in full force and effect for the duration of the Licence.
- d. Summitt Energy will file with the Commission, pursuant to item 10.0 of the Rules for Gas Marketers, the following information as it becomes available:
 - i. Unaudited quarterly financial statements;
 - ii. The most recent version of the documents submitted to satisfy Section 7, Financial Qualifications, of the Licence Requirements;
 - iii. The most recent version of the documents submitted under Sections (8), (9), (10), (11) and (12) of the Licence Requirements.
- e. The Commission may, at any time and without prior notice to Summitt Energy, 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.
- f. The Gas Marketer Licence and all copies of it shall remain the property of the Commission. Summitt Energy will return these documents forthwith upon written request from the Commission.