

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER A-1-14**



SIXTH FLOOR, 900 HOWE STREET, BOX 250
VANCOUVER, BC V6Z 2N3 CANADA
web site: <http://www.bcuc.com>

TELEPHONE: (604) 660-4700
BC TOLL FREE: 1-800-663-1385
FACSIMILE: (604) 660-1102

**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 Renewal of its Gas Marketer Licence
under the Customer Choice Program**

BEFORE: L.F. Kelsey, Commissioner
C.A. Brown, Commissioner January 9, 2014
B.A. Magnan, Commissioner
D.M. Morton, Commissioner
R.D. Revel, Commissioner
C. van Wermeskerken, Commissioner

O R D E R

WHEREAS:

- A. On June 20, 2013 Planet Energy (B.C.) Corp. (Planet 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 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. On October 10, 2013, by Order A-13-13, the Commission extended Planet Energy's Gas Marketer Licence for the period November 1, 2013 to December 31, 2013 and required Planet Energy to submit materials to satisfy Sections 6 and 7 of the Licence Requirements by November 29, 2013;
- C. On November 19, 2013, Planet Energy applied to the Commission for extension of the deadline to submit materials to satisfy Licence Requirement 6, Audited Statements, from November 29, 2013 to December 31, 2013;
- D. On November 22, 2013, Planet Energy supplemented the November 19, 2013 application by requesting the extension of the deadline to submit materials to satisfy Licence Requirement 7, Financial Qualifications, from November 29, 2013 to December 31, 2013 and the expiry date of their Gas Marketer Licence from December 31, 2013 to January 31, 2014;

- E. On November 28, 2013, by Order A-16-13, the Commission extended the deadline for Planet Energy to submit materials to satisfy Licence Requirements 6 and 7 from November 29, 2013 to December 31, 2013, extended the term of Planet Energy's licence to market natural gas from December 31, 2013 to January 31, 2014, and restricted Planet Energy from marketing to or enrolling new customers for the period January 1, 2014 to January 31, 2014;
- F. On December 13, 2013, Planet Energy applied to the Commission for renewal of its Gas Marketer Licence for the period February 1, 2014 to October 31, 2014 and requested the Commission remove the restriction on Planet Energy marketing to or enrolling new customers (Application). Planet Energy submitted materials to satisfy Licence Requirements 6 and 7 with the Application.
- G. The Commission has reviewed Planet Energy's Application and relying upon the information and representations made by Planet Energy finds that renewal of its Gas Marketer Licence, subject to certain conditions, is warranted.

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

- 1. A Gas Marketer Licence is issued to Planet Energy for the period of February 1, 2014 to October 31, 2014.
- 2. The restriction on Planet Energy marketing to or enrolling new customers for the period January 1, 2014 to January 31, 2014 by Directive 3 of Order A-16-13 is removed effectively immediately.
- 3. This licence is subject to the following conditions:
 - a. Planet Energy must carry out the undertakings as provided in its Application for a Gas Marketer Licence and as set out in the Rules for Gas Marketers established by Order A-12-13.
 - b. Planet Energy must comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of FortisBC Energy Inc. Planet 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 Planet Energy shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services.
 - c. Planet Energy must maintain a \$250,000 performance security in full force and effect for the duration of the Licence.
 - d. Planet Energy must file with the Commission, pursuant to item 10.0 of the Rules for Gas Marketers, the following information:
 - i. Unaudited quarterly financial statements, no later than 45 days after the end of each quarter;

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER A-1-14**

3

- ii. The most recent version of the documents submitted to satisfy Section 7, Financial Qualifications, of the Licence Requirements in a timely manner;
- iii. The most recent version of the documents submitted under Sections (8), (9), (10), (11) and (12) of the Licence Requirements, for the Commission's comment and approval, prior to commercial distribution and/or use.
- e. The Commission may, at any time and without prior notice to Planet Energy, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, considers sufficient.
- f. The Gas Marketer Licence and all copies of it shall remain the property of the Commission. Planet 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 9th January 2014.

BY ORDER

Original signed by:

D.M. Morton
Commissioner

Attachment



LICENCE No. A-1-14

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-1-14, which are set out in the reverse of the Licence.

BRITISH COLUMBIA UTILITIES COMMISSION

Original signed by:

D.M. Morton, Commissioner

ISSUED: January 9, 2014

EFFECTIVE: February 1, 2014

EXPIRES: October 31, 2014

(1) As described in the Rules for Gas Marketers

This Gas Marketer Licence is subject to the following conditions:

- a. Planet Energy must carry out the undertakings as provided in its Application for a Gas Marketer Licence and as set out in the Rules for Gas Marketers established by Order A-12-13.
- b. Planet Energy must comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of FortisBC Energy Inc. Planet 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 Planet Energy shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services.
- c. Planet Energy must maintain a \$250,000 performance security in full force and effect for the duration of the Licence.
- d. Planet Energy must file with the Commission, pursuant to item 10.0 of the Rules for Gas Marketers, the following information:
 - i. Unaudited quarterly financial statements, no later than 45 days after the end of each quarter;
 - ii. The most recent version of the documents submitted to satisfy Section 7, Financial Qualifications, of the Licence Requirements in a timely manner;
 - iii. The most recent version of the documents submitted under Sections (8), (9), (10), (11) and (12) of the Licence Requirements, for the Commission's comment and approval, prior to commercial distribution and/or use.
- e. The Commission may, at any time and without prior notice to Planet Energy, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, considers sufficient.
- f. The Gas Marketer Licence and all copies of it shall remain the property of the Commission. Planet Energy will return these documents forthwith upon written request from the Commission.