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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** A-12-14

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

and

Superior Energy Management Gas LP
Application for Renewal of its Gas Marketer Licence
under the Customer Choice Program

BEFORE: L.F. Kelsey, Commissioner
H.G. Harowitz, Commissioner
K.A. Keilty, Commissioner
N.E. MacMurchy, Commissioner
I.F. MacPhail, Commissioner
B.A. Magnan, Commissioner
C. van Wermeskerken, Commissioner

October 9, 2014

O R D E R

WHEREAS:

- A. On August 27, 2014, Superior Energy Management Gas LP (Superior Energy) applied to the British Columbia Utilities Commission (Commission) for renewal of its Gas Marketer Licence for the period of November 1, 2014 to October 31, 2015. 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. In the Application, Superior Energy requests that the Commission hold the Application confidential on the basis that the contents are commercially sensitive; and
- C. The Commission has reviewed Superior Energy's Application and relying upon the information and representations made by Superior 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 British Columbia Utilities Commission orders as follows:

- 1. A Gas Marketer Licence is issued to Superior Energy Management Gas LP for the period of November 1, 2014 to October 31, 2015.
- 2. Superior Energy's Application will be held confidential, as requested by Superior Energy.

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3. This licence is subject to the following conditions:

- a. Superior 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. Superior Energy must comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of FortisBC Energy Inc. Superior 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 Superior Energy shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services.
- c. Superior Energy must maintain a \$750,000 performance security in full force and effect for the duration of the Licence.
- d. Superior Energy must file with the Commission, pursuant to item 10.0 of the Rules for Gas Marketers, the following information:
 - i. The most recent version of the documents submitted to satisfy Section 7, Financial Qualifications, of the Licence Requirements; and
 - ii. 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, as necessary, prior to commercial distribution and/or use.
- e. The Commission may, at any time and without prior notice to Superior 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. Superior Energy will return these documents forthwith upon written request from the Commission.
- g. Superior Energy is prohibited from marketing to and/or enrolling Residential Consumers enrolled under FortisBC Energy's Rate Schedule 1.
- h. Superior Energy is prohibited from engaging in gas marketing activities under the Customer Choice program on Vancouver Island and in the Resort Municipality of Whistler.

DATED at the City of Vancouver, in the Province of British Columbia, this *Ninth* day of October 2014.

BY ORDER

Original signed by:

L.F. Kelsey
Commissioner

Attachment



LICENCE No. A-12-14

GAS MARKETER LICENCE

Superior Energy Management Gas 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-12-14, which are set out in the reverse of the Licence.

BRITISH COLUMBIA UTILITIES COMMISSION

Original signed by:

L.F. Kelsey, Commissioner

ISSUED: October 9, 2014
EFFECTIVE: November 1, 2014
EXPIRES: October 31, 2015

(1) As described in the Rules for Gas Marketers

This Gas Marketer Licence is subject to the following conditions:

- a. Superior 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. Superior Energy must comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of FortisBC Energy Inc. Superior 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 Superior Energy shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services.
- c. Superior Energy must maintain a \$750,000 performance security in full force and effect for the duration of the Licence.
- d. Superior Energy must file with the Commission, pursuant to item 10.0 of the Rules for Gas Marketers, the following information:
 - i. The most recent version of the documents submitted to satisfy Section 7, Financial Qualifications, of the Licence Requirements; and
 - ii. 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, as necessary, prior to commercial distribution and/or use.
- e. The Commission may, at any time and without prior notice to Superior 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. Superior Energy will return these documents forthwith upon written request from the Commission.
- g. Superior Energy is prohibited from marketing to and/or enrolling Residential Consumers enrolled under FortisBC Energy's Rate Schedule 1.
- h. Superior Energy is prohibited from engaging in gas marketing activities under the Customer Choice program on Vancouver Island and in the Resort Municipality of Whistler.