



**ORDER NUMBER**

**A-5-19**

**IN THE MATTER OF**

the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

Summitt Energy BC LP

Application for Renewal of its Gas Marketer Licence  
under the Customer Choice Program

**BEFORE:**

W. M. Everett, QC, Commissioner

October 22, 2019

**ORDER**

**WHEREAS:**

- A. Section 71.1(1) of the *Utilities Commission Act* (UCA) requires a person who is not a public utility and who performs a gas marketing activity for low-volume consumers to hold a Gas Marketer Licence issued by the British Columbia Utilities Commission (BCUC);
- B. The BCUC established Rules for Gas Marketers pursuant to subsection 71.1(10) of the UCA to assist the administration of Gas Marketer licensing. The BCUC reviews and updates the Rules for Gas Marketers from time to time, most recently on October 18, 2013 by Order A-12-13;
- C. On August 28, 2019, Summitt Energy BC LP (Summitt Energy), applied to the BCUC for renewal of its Gas Marketer Licence for the period November 1, 2019 to October 31, 2020. The application for renewal of its Licence to Market Natural Gas (Application) included payment of the \$1,000 Application Fee and proof of security, pursuant to Sections 2 and 4 respectively, of the Licence Requirements;
- D. In the Application, Summitt Energy requests that the BCUC hold the Application confidential on the basis that the contents are commercially sensitive; and
- E. The BCUC 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 certain conditions, is warranted.

**NOW THEREFORE**, pursuant to section 71.1 of the UCA and Order A-12-13, the BCUC orders as follows:

- 1. A Gas Marketer Licence is issued to Summitt Energy for the period of November 1, 2019 to October 31, 2020.

2. Summitt Energy's Application will be held confidential, as requested by Summitt Energy on the basis that it contains commercially sensitive information.
3. This Gas Marketer Licence is subject to the following conditions:
  - a. Summitt 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. Summitt Energy must 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. Summitt Energy shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services;
  - c. Summitt Energy must maintain the proof of security submitted to satisfy Section 4, Financial Qualifications, of the Gas Marketer Licence Requirements, in full force and effect for the duration of the Licence;
  - d. Summitt Energy must file with the BCUC, 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 Sections 6 and 7, Financial Qualifications, of the Gas Marketer Licence Requirements, for BCUC staff's review and acceptance, in a timely manner; and
    - ii. The most recent version of the documents submitted under Sections 8, 9, 10, 11 and 12 of the Gas Marketer Licence Requirements for the BCUC's comment and approval, as necessary, prior to commercial distribution and/or use.
  - e. The BCUC 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 BCUC, in its sole discretion, considers sufficient; and
  - f. The Gas Marketer Licence and all copies of it shall remain the property of the BCUC. Summitt Energy will return these documents forthwith upon written request from the BCUC.

**DATED** at the City of Vancouver, in the Province of British Columbia, this        22<sup>nd</sup>        day of October 2019.

BY ORDER

*Original signed by:*

W. M. Everett, QC  
Commissioner

Attachment



**bcuc**  
British Columbia  
Utilities Commission

**LICENCE No. A-5-19**

# **GAS MARKETER LICENCE**

*Summitt Energy (BC) LP*

is granted a licence for the purpose of providing advice to, or acting on behalf of, core market customers<sup>(1)</sup> purchasing gas directly in the Province of British Columbia subject to the terms and conditions contained in BCUC Order A-5-19, which are set out in the reverse of the Licence.

**BRITISH COLUMBIA UTILITIES COMMISSION**

*Original signed by:*

---

W. M. Everett, QC, Commissioner

ISSUED: October 22, 2019  
EFFECTIVE: November 1, 2019  
EXPIRES: October 31, 2020

(1) As described in the Rules for Gas Marketers

This Gas Marketer Licence is subject to the following conditions:

- a. Summitt 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. Summitt Energy must 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 must maintain the proof of security submitted to satisfy Section 4, Financial Qualifications, of the Gas Marketer Licence Requirements, in full force and effect for the duration of the Licence.
- d. Summitt Energy must file with the BCUC, 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 Sections 6 and 7, Financial Qualifications, of the Licence Requirements, for BCUC staff's review and acceptance, in a timely manner; and
  - ii. The most recent version of the documents submitted under Sections 8, 9, 10, 11 and 12 of the Gas Marketer Licence Requirements for the BCUC's comment and approval, as necessary, prior to commercial distribution and/or use.
- e. The BCUC 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 BCUC, in its sole discretion, considers sufficient.
- f. The Gas Marketer Licence and all copies of it shall remain the property of the BCUC. Summitt Energy will return these documents forthwith upon written request from the BCUC.