



ORDER NUMBER

A-6-21

IN THE MATTER OF

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

and

Just Energy (B.C.) Limited Partnership
Application for Renewal of its Gas Marketer Licence
under the Customer Choice Program

BEFORE:

B. A. Magnan, Chair
E. B. Lockhart, Commissioner

October 28, 2021

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 March 9, 2021 the BCUC was notified that Just Energy had received protection under the Companies' Creditors Arrangement Act (CCAA) in Canada. The CCAA is a Federal Act that allows financially troubled corporations the opportunity to restructure their affairs presenting the company an opportunity to avoid bankruptcy;
- D. On August 31, 2021, Just Energy (B.C.) Limited Partnership (Just Energy), applied to the BCUC for renewal of its Gas Marketer Licence for the period November 1, 2021 to October 31, 2022. 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;
- E. In the Application, Just Energy requests that the BCUC hold the Application confidential on the basis that the contents are commercially sensitive; and
- F. The BCUC reviewed Just Energy's Application and relying upon the information and representations made by Just 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 Just Energy for the period of November 1, 2021 to April 30, 2022.
2. Just Energy's Application will be held confidential.
3. This Gas Marketer Licence is subject to the following conditions:
 - a. Just 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. Just Energy must comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of FortisBC Energy Inc.
 - c. Just 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 Just Energy shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services.
 - d. Just Energy must maintain a \$500,000 proof of security in full force and effect for the duration of the Gas Marketer Licence.
 - e. Just Energy must file with the BCUC, pursuant to Rule 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 Statements, of the Gas Marketer Licence Requirements, for BCUC review and acceptance, in a timely manner;
 - 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;
 - iii. Monthly financial reports submitted by Just Energy Corp that include at minimum the balance sheet, income statement and cash flow statement for Just Energy Corp;
 - iv. Monthly notifications on any adjustments to or cancellation of Supply Contracts; and
 - v. Monthly progress reports on the CCAA proceeding.
 - f. The BCUC may, at any time and without prior notice to Just 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.
 - g. Just Energy must strictly adhere to the script outlined in Article 33 of the Code of Conduct for Gas Marketers.
 - h. Just Energy must file the updated verification script(s) with the BCUC within 15 days of this order.
 - i. The Gas Marketer Licence and all copies of it shall remain the property of the BCUC. Just 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 28th day of October 2021.

BY ORDER

Original signed by:

B. A. Magnan
Commissioner

Attachment



bcuc
British Columbia
Utilities Commission

LICENCE No. A-6-21

GAS MARKETER LICENCE

Just Energy (B.C.) Limited Partnership

is granted a licence for the purpose of providing advice to, or acting on behalf of, residential and commercial customers purchasing gas directly in the Province of British Columbia subject to the terms and conditions contained in BCUC Order A-6-21, which are set out in the reverse of the Licence.

BRITISH COLUMBIA UTILITIES COMMISSION

B.A. Magnan, Commissioner

ISSUED: October 28, 2021
EFFECTIVE: November 1, 2021
EXPIRES: April 30, 2022

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- b. Just Energy must comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of FortisBC Energy Inc.
- c. Just 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 Just Energy shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services.
- d. Just Energy must maintain a \$500,000 proof of security in full force and effect for the duration of the Gas Marketer Licence.
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