

Assurance of Voluntary Compliance

**Pursuant to s. 112.7 of the
*Ontario Energy Board Act, 1998***

Williams Operation Corporation

(EW-2016-0354)

EB-2017-0088

February 16, 2017

I. Background

Ontario Energy Board (OEB) staff conducted an inspection of Williams Operating Corporation (Williams Operating) after it became known that Williams Operating had been operating without a wholesaler licence for the period August 15, 2016 to January 26, 2017. Williams Operating is an active market participant who purchases power to support its gold mining operations in Marathon, Ontario. The inspection was conducted under the authority of Part VII of the *Ontario Energy Board Act, 1998* (the "Act").

II. Findings

On December 7, 2016, Williams Operating filed a complete application for renewal of licence as an electricity wholesaler. At that time, Williams Operating advised OEB staff that it had realized in November 2016 that its licence had expired in August 2016 and due to technical issues with internet security protocols, the OEB's six month reminder email advising Williams Operating that its licence was set to expire, was sent to the spam folder of the email inbox. As a result Williams Operating stated that the email was overlooked and the licence expired on August 15, 2016. Williams Operating was granted a licence renewal on January 26, 2017 in case EB-2016-0354. In that Decision the OEB stated that Williams Operating had neglected to renew its previous wholesaler licence and that Williams Operating had been operating without a licence since August 15, 2016 in contravention of the *Ontario Energy Board Act, 1998* (OEB Act).

Operating in the IESO-administered markets without a licence contravenes section 57 of the OEB Act.

Section 57 of the OEB Act states that:

Neither the IESO nor the Smart Metering Entity shall exercise their powers or perform their duties under the Electricity Act, 1998 unless licensed to do so under this Part and no other person shall, unless licensed to do so under this Part,

- (e) purchase electricity or ancillary services in the IESO-administered markets or directly from a generator.

III. Assurance

Williams Operating hereby assures the OEB that it will comply with the requirement under section 57 of the OEB Act and that it will ensure it has a licence for the purpose of purchasing electricity or ancillary services in the IESO-administered markets or directly from a generator.

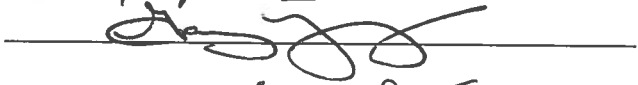
Williams Operating further assures the OEB that it will pay an administrative monetary penalty in the amount of \$1,500 within two (2) weeks of the date of this assurance of voluntary compliance, and shall be made by cheque in certified funds or electronically with notice sent to the Board Secretary.

IV. Failure to Comply

This Assurance has the same force and effect as an order of the OEB pursuant to section 112.7(2) of the Act and any failure to comply with its terms shall be deemed to be a breach of an order of the OEB.

V. Execution of Assurance

I have the authority to bind Williams Operating Corporation to the terms set out in this Assurance of Voluntary Compliance.

Name: Gary Young

Title: Electrical General Foreman
Company: Williams Operating Corporation

Dated this 16 day of February 2017

