

ASSURANCE OF VOLUNTARY COMPLIANCE

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

Atlantic Packaging Products Ltd.
Licence No. EW-2023-0242

OEB File No. EB-2025-0080

March 4th, 2025

I. BACKGROUND

Ontario Energy Board (OEB) staff conducted an inspection of Atlantic Packaging Products Ltd. (Atlantic Packaging) pursuant to the OEB's finding, in proceeding EB-2023-0242, that Atlantic Packaging had been operating as an electricity wholesaler in Ontario without a licence. Following the inspection, and in resolution of the contravention, Atlantic Packaging provided this Assurance of Voluntary Compliance to the OEB under section 112.7 of the *Ontario Energy Board Act, 1998* (OEB Act).

II. STATEMENT OF FACTS

On October 17, 2023, Atlantic Packaging filed an application with the OEB for a new electricity wholesaler licence pursuant to section 60 of the OEB Act. Atlantic Packaging's previous electricity wholesaler licence (EW-2006-0058) expired on July 9, 2011. Atlantic Packaging acknowledged through the application process that after its licence expired, it continued to purchase electricity in the IESO-administered markets to support its operations in Ontario.

The OEB reviewed the licence application and on October 26, 2023, issued a Decision and Order (EB-2023-0242) granting Atlantic Packaging a new electricity wholesaler licence (EW-2023-0242). In the Decision and Order, the OEB noted that Atlantic Packaging had been operating without a licence since July 9, 2011. The OEB further noted therein that the granting of the new licence was without prejudice to any future compliance actions regarding Atlantic Packaging having operated without a licence.

Operating in the IESO-administered markets without a licence is a contravention of section 57(e) of the OEB Act, which provides as follows:

Requirement to hold licence

57 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;

Atlantic Packaging explained that the failure to secure a renewal of its electricity wholesaler licence prior to its expiry on July 9, 2011, was due to administrative oversight. Atlantic Packaging has added additional team members to our process to ensure that no further oversight can occur regarding licencing and communication with the IESO or OEB.

III. ASSURANCE

Atlantic Packaging hereby assures the OEB that it has taken all appropriate measures to comply with the requirement under section 57 (e) of the OEB Act to hold a licence for the purpose of purchasing electricity or ancillary services in the IESO-administered markets or directly from a generator.

Atlantic Packaging also hereby assures the OEB that it will comply with the terms of its electricity wholesaler licence (EW-2023-0242), including the obligation under section 8.1 therein to designate a person to act as a primary contact with the OEB on matters related to the licence, and to promptly notify the OEB should the contact details change.

IV. ADMINISTRATIVE MONETARY PENALTY

Atlantic Packaging agrees to pay an administrative monetary penalty to the OEB in the amount of \$50,000. Payment will be made electronically, together with notice sent to the

Registrar, within two (2) weeks of Atlantic Packaging having received notice of the acceptance of this assurance by the OEB.

V. FAILURE TO COMPLY

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

VI. EXECUTION

I have the authority to bind Atlantic Packaging Products Ltd. to the terms set out in this Assurance of Voluntary Compliance.

Name: _Stephen Burnett_____

Title: Senior Director of Technical Services

Company: Atlantic Packaging_____

Signature: _  _____

Dated this 4th day of March 2025.