



## Electricity Retailer Licence Application

### ECNG Energy L.P.

#### 1. Application Type

##### 1. (a) Application Type

New  Renewal

##### 1. (b) Licence Number

ER-2019-0272

##### 1. (c) Expiry Date

January 22, 2025

##### 1. (d) If the licence has already expired, please advise why the applicant failed to renew the licence before expiry.

The previous legal counsel, Melissa Loucks, resigned. Due to an internal oversight, staff at ECNG Energy L.P. did not discover the expiry date of its electricity retailer licence until after the said licence had already expired. ECNG Energy L.P. has since contacted the OEB and is making the renewal of the licence a top priority and has requested an extension of the term of its current (expired) electricity retailer licence or the issuance of an interim licence.

##### 1. (e) Has the applicant conducted any electricity retailing activities after the licence expiry?

Yes  No

#### 2. The Applicant

##### 2. (a) Legal Name of the Applicant

ECNG Energy L.P.

##### 2. (b) Business Classification

Sole Proprietorship  Partnership  Corporation  Other

##### 2. (c) Date of Formation or Incorporation

August 12, 2004

##### 2. (d) Province/State of Formation or Incorporation

Alberta

##### 2. (e) Country of Formation or Incorporation

Canada

##### 2. (f) If the applicant is an individual, are they at least 18 years old?

If the applicant is an individual, the applicant must be at least 18 years old.

Yes  No  Not Applicable

## 2. (g) Head Office or Business Address of the Applicant

**Street Address:** 5575 North Service Road, Suite 400

**City:** Burlington

**Province/State:** Ontario

**Country:** Canada

**Postal/Zip Code:** L7L 6M1

**Website:** ecng.com

### Main Phone Number and Email Address

**Phone Number:** 905-635-3264

**Toll Free:** 877-832-3264

**Email Address:** dcocchetto@ecng.com

## 2. (h) Please describe the applicant's current or intended line of business and business activities.

To act as an agent or broker for retailers with respect to the sale or offering for sale of electricity to low and large volume consumers, or as an agent for large and low volume consumers with respect to the sale of electricity in Ontario.

## 3. Licence Primary Contact

The licensee shall designate a person who will act as a primary contact with the Ontario Energy Board (OEB) on matters related to the licence.

### 3. (a) Licence Primary Contact

**Salutation:** Mr.

**Last Name:** Cocchetto

**First Name:** Darren

**Initials:** M

**Title/Position:** Legal Counsel

**Company:** ECNG Energy L.P.

**Phone Number:** 519-562-1408

**Email Address:** dcocchetto@ecng.com

### 3. (b) Is the Licence Primary Contact address the same as the Head Office or Business address?

Yes  No

### Licence Primary Contact Address

**Street Address:** 132 Jordyn's Crt

**City:** Amherstview

**Province/State:** Ontario

**Country:** Canada

**Postal/Zip Code:** K7N 0A7

**Website:** ecng.com

**NOTE:** If the Licence Primary Contact Address is not in Ontario, the applicant must also provide the contact information for service purposes in Ontario. The applicant may provide the address of an agent (an individual who is a resident of Ontario and is at least 18 years old, or a corporation that has its head office or registered office in Ontario) as the contact for service.

### 3. (c) Contact Information for Service in Ontario

#### Address for Service in Ontario

**Province/State:** Ontario

**Country:** Canada

## 4. Application Primary Contact

The primary contact for the licence application may be a person within the applicant's organization other than the licence primary contact noted above. An applicant may also choose to designate a consultant, lawyer, etc. to be the primary contact for the licence application. The OEB will communicate with this person during the course of the application review process, but with the licence primary contact after a licence is issued.

### 4. (a) Is the Application Primary Contact the same as the Licence Primary Contact?

Yes  No

## 5. Customer Complaint or Inquiries Primary Contact

Provide contact information of the person to whom correspondence or communication regarding customer complaints or inquiries should be addressed. The mailing address should be in Ontario and the phone number should be listed in Ontario. If the applicant intends to retail electricity to low-volume consumers (annually consuming less than 150,000 kilowatt hours of electricity), the applicant should also provide a toll-free phone number for the general public to use.

### 5. (a) Customer Complaint or Inquiries Primary Contact

**Salutation:** Mr.

**Last Name:** Tolhurst

**First Name:** James

**Initials:** J

**Title/Position:** President

**Company:** ECNG Energy L.P.

**Phone Number:** 905-635-3264

**Extension:** 3296

**Toll Free:** 877-832-3264

**Email Address:** jtolhurst@ecng.com

### Customer Complaint or Inquiries Primary Contact Address

**Street Address:** 5575 North Service Road, Suite 400

**City:** Burlington

**Province/State:** Ontario

Country: Canada

Postal/Zip Code: L7L 6M1

Website: ecng.com

## 6. Trade Names

The electricity retailer licence authorizes the licensee to conduct business using the name under which the licence is held (i.e. the applicant's legal name). It also provides for the use of trade names by the licensee.

6. (a) Does the applicant intend to use trade names?

Yes  No

If yes, please provide a list of trade names the applicant intends to use.

ECNG Energy Group

## 7. Applicant's Licensing Status and History

7. (a) Has the applicant, an affiliate of the applicant, or an associated entity (e.g. a partnership or limited partnership) ever been licensed by the OEB?

Yes  No

The *Business Corporations Act* definition for "affiliate" can be found at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).

If yes, please provide current and expired licences.

Licensee Name	Relation to the Applicant (e.g. applicant itself, affiliate, partner, etc.)	Licence Number
ECNG Energy L.P.	Applicant itself	ER-2019-0272, ER-2014-0340, ER-2009-0337
ECNG Energy L.P.	Applicant itself	GM-2019-0270, GM-2014-0341, GM-2009-0336, GM-2004-0341

7. (b) Does the applicant, an affiliate of the applicant, or an associated entity (e.g. a partnership or limited partnership) have any other application(s) before the OEB?

Yes  No

If yes, please provide other applications.

Applicant Name	Relation to the Applicant	Type of Application	OEB File Number
ECNG Energy L.P.	Applicant itself	Renewal-Gas Marketer	GMLA00026

7. (c) Has the applicant, an affiliate of the applicant, or an associated entity (e.g. a partnership or limited partnership) ever undertaken energy sector activity in any other jurisdiction within North America?

Yes  No

If yes, please provide information about activities in other jurisdictions.

Company Name	Relation to the Applicant	Jurisdiction	Business Activity	Name of Licensing Body and Licence/Registration No. (if applicable)
ECNG Energy L.P.	Applicant Itself	New Brunswick	Gas Marketer	NEUB 614905
ECNG Energy L.P.	Applicant Itself	Manitoba	Gas Marketer	PUB 569, 583, 595, 606

7. (d) Is the applicant, an affiliate of the applicant, or an associated entity (e.g. a partnership or limited partnership) an Independent Electricity System Operator (IESO) market participant?

Yes  No

## 8. Officers, Directors and Key Individuals

8. (a) Please confirm the number of officers, directors and key individuals in your organization.

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8. (b) In the table below, identify the key individuals that are responsible for executing the following functions for the applicant: matters related to regulatory requirements and conduct, financial matters and technical matters.

Key individuals include the Chief Executive Officer, the Chief Financial Officer, other officers and directors, partners or proprietors.

### NOTES:

- List a minimum of 3 key individuals in the table below. Additional information about each key individual is required in Section 17.
- One of the listed key individuals must sign the completed application. See Section 19 for signing authority details.

Name of Key Individual	Email	Title/Position within Applicant's Business (or identify company if not the Applicant's Business)
James John Tolhurst	jtolhurst@ecng.com	President
Dave Duggan	daveduggan@ecng.com	Director, Energy Supply & Market Strategy
Darren Cocchetto	dcocchetto@ecng.com	Legal Counsel

## 9. Intended Markets and Services

9. (a) Identify the applicant's intended markets and services. Select all that apply.

- To sell or offer to sell electricity to low-volume consumers (annually consuming less than 150,000 kilowatt hours of electricity) in Ontario.
- To sell or offer to sell electricity to large-volume consumers (annually consuming more than 150,000 kilowatt hours of electricity) in Ontario.
- To sell electricity generated by a renewable generation facility under a Power Purchase Agreement (i.e. retail contract) to a low-volume consumer who will be entering into a net metering arrangement with their distributor. To learn more, click [here](#).

- To sell electricity generated by a renewable generation facility under a Power Purchase Agreement (i.e. retail contract) to a large-volume consumer who will be entering into a net metering arrangement with their distributor. To learn more, click [here](#).
- To act as an agent or broker for a retailer with respect to the sale or offering for sale of electricity to low-volume consumers, or as an agent or broker for low-volume consumers with respect to the sale or offering for sale of electricity in Ontario.
- To act as an agent or broker for a retailer with respect to the sale or offering for sale of electricity to large-volume consumers, or as an agent or broker for large-volume consumers with respect to the sale or offering for sale of electricity in Ontario.

**9. (b) Is the applicant currently providing any of the above listed services?**

- Yes  No

**9. (b\_Yes) If yes, provide a list of the services the applicant is currently providing.**

Agent for both low and large volume consumers of electricity. Participating in the Distributed Consolidated Billing ("DCB") program for both low and large volume consumers.

**9. (c) Wholesale Market Participation: Does the applicant intend to operate in the IESO-administered markets and settle bilateral contracts through the IESO?**

- Yes  No

**9. (d) Retail Market Participation: Does the applicant intend to settle the wholesale market cost of electricity consumed by its customers through a distributor's settlement system?**

- Yes  No

**9. (e) Describe in detail the applicant's current or intended business model and product offering(s). Include details of all products the applicant intends to offer to its customers and explain how the commodity pricing will be determined for each of the applicant's product offering.**

ECNG provides energy procurement services to industrial, commercial and institutional consumers. More specifically, ECNG helps clients with the following:

- 1) Market Analysis & Monitoring: we help clients minimize the risk of peak purchases & increase the opportunity to buy when electricity is least expensive.
- 2) Supply Portfolio & Risk Management: we evaluate and review clients' annual electricity requirements, daily contract values & delivery points for each facility.
- 3) Budget Certainty: we collect, review & issue invoices to clients' accounts payable departments. If required, we also develop electricity cost reporting systems and electricity budgets.
- 5) Education & Training: we provide continuous education and training about the electricity market to help clients make better decisions and avoid costly mistakes.

**9. (f) Does the applicant intend to acquire any services from the third-party service providers (e.g. customer service, call centre, settlement services)?**

- Yes  No

**CONFIDENTIAL SECTIONS**

Information filed as part of or in support of sections 10 to 17 of this application will be treated as confidential and is not available for public view.

**18. Notice**

The OEB is authorized, under section 4.14 of the [OEB Act](#), to collect personal information for the purpose of carrying out its duties and exercising its powers under the OEB Act or any other Act.

The information provided both on this form and attached to this form is being collected by the OEB for the purpose of determining whether the applicant is qualified to receive the licence for which it is applying.

In order to verify the information on this form and/or determine whether the applicant is qualified to receive the licence for which it is applying, it may be necessary for the OEB to collect additional information from some or all of the following sources: federal, provincial/state, or municipal governments; licensing bodies; law enforcement agencies; credit bureaus; and banks. Only information relevant to the application or the OEB's determination of the application will be collected by the OEB.

The public official who can answer questions about the collection of the information is:

**Registrar**

**Ontario Energy Board**

P.O. Box 2319

2300 Yonge Street, 27th Floor

Toronto, ON M4P 1E4

Tel: 416-481-1967 or 1-888-632-6273

Applicants are reminded that the OEB is subject to the *Freedom of Information and Protection of Privacy Act* (FIPPA). FIPPA addresses circumstances in which the OEB may, upon request, be required to release information that is in its custody or under its control, and generally prohibits the OEB from releasing personal information. "Personal Information" has the meaning given to it under FIPPA.