



ORDER NUMBER
A-3-24

IN THE MATTER OF
the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

Direct Energy (BC) Ltd
Application for a Gas Marketer Licence
under the Customer Choice Program

BEFORE:

B. A. Magnan, Commissioner
E. B. Lockhart, Commissioner
W. E. Royle, Commissioner

on October 31, 2024

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 (Rules) pursuant to subsection 71.1(10) of the UCA to assist with the administration of Gas Marketer licensing. Attachment 1 of the Rules sets out the Licence Requirements and Application Instructions (Licence Requirements). 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 23, 2024, Direct Energy (BC) Ltd. (Direct Energy), applied to the BCUC for a Gas Marketer Licence for the period November 1, 2024 to October 31, 2025 (Application). The Application included the payment of the \$1,000 Application Fee and proof of sufficient financial resources, pursuant to Sections 4, 6 and 7 of the Licence Requirements;
- D. Direct Energy requests that the BCUC hold the Application confidential on the basis that the contents are commercially sensitive; and
- E. The BCUC has reviewed Direct Energy's Application and relying upon the information and representations made by Direct Energy and finds that issuance of a 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 Direct Energy for the period of November 1, 2024 to October 31, 2025.

2. Direct Energy's Application will be held confidential unless the BCUC determines otherwise.
3. This Gas Marketer Licence is subject to the following conditions:
 - a. Direct 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. Direct Energy must comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of FortisBC Energy Inc.
 - c. Direct 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. Direct Energy shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services.
 - d. Direct Energy must maintain the proof of financial resources submitted to satisfy Sections 4, 6 and 7 of the Licence Requirements, in full force and effect for the duration of the Gas Marketer Licence.
 - e. Pursuant to section 10 of the Rules, in order to maintain compliance with Licence Requirements, the following information must be submitted to the BCUC for review and approval, as it becomes available:
 - i. The most recent version of the documents that Direct Energy provided to demonstrate that it continues to satisfy Sections 4, 6 and 7 under the Licence Requirements.
 - ii. The most recent version of the documents submitted under Sections 8, 9, 10, 11 and 12 of the Licence Requirements prior to use.
 - f. The BCUC may, pursuant to section 11 of the Rules amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence.
 - g. Direct Energy must notify the BCUC of any material change in circumstances that adversely affects or is likely to adversely affect the business, operations or assets of Direct Energy as soon as practicable, but in any event no more than fifteen (15) calendar days past the date upon which such change occurs.
 - h. Direct Energy must strictly adhere to the Third-Party Verification script(s), as approved by the BCUC.
 - i. The Gas Marketer Licence and all copies of it shall remain the property of the BCUC. Direct Energy will return these documents upon written request from the BCUC.
 - j. Direct Energy is licensed to engage in gas marketing only to Commercial Consumers enrolled under FortisBC Energy Rate Schedule 2 or 3.

DATED at the City of Vancouver, in the Province of British Columbia, this 31st day of October 2024.

BY ORDER

Original signed by:

B. A. Magnan
Commissioner

Attachment



bcuc
British Columbia
Utilities Commission

LICENCE No. A-3-24

GAS MARKETER LICENCE

Direct Energy (BC) Ltd.

is granted a licence for the purpose of providing advice to, or acting on behalf of commercial customers purchasing gas directly in the Province of British Columbia subject to the terms and conditions contained in BCUC Order A-3-24, which are set out on the reverse of the Licence.

BRITISH COLUMBIA UTILITIES COMMISSION

Original signed by:

B. A. Magnan, Commissioner

ISSUED: October 31, 2024
EFFECTIVE: November 1, 2024
EXPIRES: October 31, 2025

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- b. Direct Energy must comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of FortisBC Energy Inc.
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- d. Direct Energy must maintain the proof of financial resources submitted to satisfy Sections 4, 6 and 7, of the Licence Requirements, in full force and effect for the duration of the Gas Marketer Licence.
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