

Assurance of Voluntary Compliance

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

OLAMETER INC.

ES-2015-0231

EB-2015-0330

December 2, 2015

I. Background

Ontario Energy Board (OEB) staff commenced an inspection of Olameter Inc. in September, 2015. The inspection was conducted under the authority of Part VII of the *Ontario Energy Board Act, 1998* (Act). The purpose of the inspection was to examine Olameter Inc.'s non-compliance with section 57 (c.1) of the Act, which states that no person is permitted to engage in unit sub-metering without an Ontario Energy Board licence.

Pursuant to section 107 of the Act, OEB staff sent an information request to Olameter Inc. on September 15, 2015. Olameter Inc. provided its response on September 18, 2015. Following this exchange of information, on November 4, 2015, representatives of Olameter Inc. and OEB staff held a teleconference to discuss the inspection, to arrive at a mutual understanding of the nature of OEB staff's findings, and to establish the terms of this Assurance of Voluntary Compliance (Assurance).

II. Findings

Olameter Inc. was first licenced as a smart sub-metering provider (now referred to as unit sub-metering) under licence number ES-2009-0119 on June 25, 2009. On June 24, 2014, Olameter Inc.'s licence expired.

Following June 24, 2014, Olameter Inc. operated as a unit sub-metering provider in Ontario without an Ontario Energy Board licence. Olameter Inc. has advised that, due to its inadvertence, it failed to renew its licence prior to its expiry on June 24, 2014.

Olameter Inc. admits that it contravened section 57 (c.1) of the Act by engaging in unit sub-metering without an Ontario Energy Board licence.

III. Assurance

Olameter Inc. hereby assures the OEB that, effective as of the date of this Assurance, it has voluntarily taken and will continue to take the following steps with respect to the findings noted above:

- i. Once Olameter Inc. became aware of the expired licence, it took steps to rectify the situation.
- ii. On July 22, 2015, Olameter Inc. applied to the OEB for a renewal of its licence (the application was assigned OEB File No. EB-2015-0231).
- iii. The OEB approved the application on September 24, 2015, granting Olameter Inc. its unit sub-metering licence ES-2015-0231, which has an expiry date of September 23, 2020.
- iv. Olameter Inc. commits to refrain from operating as a unit sub-metering without a valid OEB licence and, while licensed, to operating in accordance with the terms and conditions of its licence and other applicable laws and regulations.

IV. ADMINISTRATIVE MONETARY PENALTY

Olameter Inc. agrees to pay an administrative monetary penalty to the OEB in the amount of \$2,000. The amount of the administrative monetary penalty reflects the nature and duration of the alleged breach of the Act as set out above, and Olameter Inc.'s commitment to rectify the breach.

The payment of the administrative monetary penalty shall be made within two weeks of the OEB's acceptance of this Assurance, and shall be made by cheque in certified funds or electronically with notice sent to the Board Secretary. The OEB will use the funds to support activities related to consumer education, outreach and other activities in the public interest.

V. Consumer Rights

Nothing in this Assurance affects any rights a consumer may have under his or her contract, or under any applicable laws.

VI. 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.

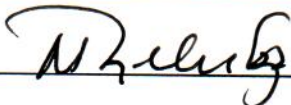
VII. Execution of Assurance

I have the authority to bind Olameter Inc. to the terms set out in this Assurance of Voluntary Compliance.

Name: MAE RELISZKO

Title: VP. ADMINISTRATION

Company: OLAMETER INC.

Signature: 

Dated this 2nd day of December, 2015