



EB-2012-0308

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c. 15 (Schedule B);

AND IN THE MATTER OF a Notice of Intention to Make an
Order under section 112.4 of the *Ontario Energy Board Act*,
1998 for Revocation of a Licence against GreenPlus Points
Inc., Licence Number ER-2009-0390.

**NOTICE OF INTENTION TO MAKE AN ORDER FOR REVOCATION OF A
LICENCE UNDER SECTION 112.4 OF THE *ONTARIO ENERGY BOARD
ACT, 1998***

The Ontario Energy Board (the "Board"), on its own motion under section 112.2 of the *Ontario Energy Board Act, 1998* (the "Act"), intends to make an Order under section 112.4 of the Act to revoke electricity retailer licence ER-2009-0390 (the "Licence") issued to GreenPlus Points Inc. ("GreenPlus").

ALLEGATIONS OF NON-COMPLIANCE

It is alleged that GreenPlus has contravened section 11.1 of the Licence by failing to pay the Board's annual licence fee for the year 2010-2011.

PARTICULARS

The particulars in support of the allegations set out in this Notice are as follows.

On November 26, 2010, the Board issued invoice number 1011ER014 dated November 9, 2010 to GreenPlus in the amount of \$800.00 covering the Board's annual licence fee in respect of the Licence for 2010-2011.

The invoice referred to above was sent to the attention of Bob Ho, the person designated by GreenPlus as the primary contact with the Board on matters related to the Licence, at Green PlusPoints Inc., 1 First Canadian Place, Suite 350, Toronto, ON, M5X 1C1, being the address designated by GreenPlus as the address for service on matters related to the Licence.

The Board has not received payment of the invoice referred to above.

Failure to pay all fees charged and amounts assessed by the Board is a contravention of an enforceable provision within the meaning of the Act; more specifically, it is a contravention of section 11.1 of the Licence.

THEREFORE TAKE NOTICE that GreenPlus may request, within fifteen days after receiving this Notice, that the Board hold a hearing on these matters. If no request for hearing is made within this time period, the Board may proceed to make an Order revoking the Licence.

FURTHER TAKE NOTICE that if a hearing is requested, the Board is not bound by the above-noted enforcement action and has discretion, upon finding one or more contraventions of an enforceable provision, to make any order it deems appropriate under section 112.4 of the Act. GreenPlus is entitled to be present at the hearing with or without counsel and to adduce evidence and make submissions. Should GreenPlus fail to attend, the hearing may be conducted in its absence and GreenPlus will not be entitled to any further notice in the proceeding.

In order to respond to this Notice and request a hearing, GreenPlus must file 3 copies of the request with the office of the Board Secretary at the following address:

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, Ontario
M4P 1E4
Attention: Board Secretary
Email: Boardsec@ontarioenergyboard.ca
Tel: 1-888-632-6273
Fax: 416-440-7656

If a hearing is requested, it will proceed before a Panel of the Board at the offices of the Board, 2300 Yonge Street, Toronto, Ontario, on a date to be set by the Board.

DATED at Toronto, July 19, 2012

ONTARIO ENERGY BOARD

Original Signed By

Rosemarie T. Leclair
Chair and CEO