

Ontario Energy Board
P.O. Box 2319
27th. Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

Commission de l'Énergie de l'Ontario
C.P. 2319
27e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone; 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



BY E-MAIL AND WEB POSTING

December 18, 2009

To: All Licensed Gas Marketers
All Rate-regulated Natural Gas Distributors
All Other Interested Parties

**Re: Amendments to the Natural Gas Reporting and Record Keeping Requirements: Gas Marketer Licence Requirements
Board File: EB-2009-0163**

All licensed gas marketers are required to report or maintain records of the information described in the Board's Natural Gas Reporting and Record Keeping Requirements: Gas Marketer Licence Requirements ("RRR-Gas Marketer") under the terms of their licences.

On September 21, 2009, the Ontario Energy Board (the "Board") released for comment proposed amendments to the RRR-Gas Marketer. The Board received comments on the proposed amendments from five stakeholders. The Board has considered the comments received, and has concluded that the proposed amendments to the RRR-Gas Marketer should be adopted, with the revisions described below. A revised version of the RRR-Gas Marketer that incorporates all of the amendments is attached as Attachment A. For information purposes only, a version of the RRR-Gas Marketer that shows the revisions made relative to the amendments as proposed on September 21, 2009 is attached as Attachment B. Also for information purposes only, a version of the RRR-Gas Marketer that shows the revisions made relative to the original version dated December 22, 2004 is attached as Attachment C.

Summary of Revisions to Proposed Amendments

1. *Market Monitoring Information (Section 2.1.2)*

This section, which addresses quarterly reporting on certain market monitoring information, as been revised as follows:

- i. to clarify that the information to be reported pertains to low volume customers only;
- ii. to clarify that reporting in relation to salespersons is limited to salespersons that have successfully enrolled or renewed a customer during the reporting period;
- iii. to base the market approach percentages reporting requirement on new and enrolled customers, rather than on sales revenue as originally proposed; and
- iv. to clarify that the reference to new enrolments relates to customers accepted by a gas distributor for flow. The Board has also made a similar clarifying change to section 2.1.1.

2. *Coming Into Effect (Section 1.7)*

It was originally proposed that the amendments to the RRR-Gas Marketer adopted following this consultation would come into effect on January 1, 2010 and be applicable to any reporting required to be made on or after that date. The Board has determined that the date of coming into force of the new reporting and record keeping requirements should be deferred to May 1, 2010 and will apply to any reporting required to be made on or after that date. This will provide additional time for gas marketers to implement any necessary changes triggered by the revisions to the RRR-Gas Marketer.

In response to a stakeholder comment, the Board confirms that the scope of reporting and record-keeping required by the RRR-Gas Marketer is limited to a gas marketer's activities within the Province of Ontario. The Board does not believe that it is necessary to include a specific provision in that regard in the RRR-Gas Marketer.

Yours truly,

Original Signed By

Kirsten Walli
Board Secretary

- Attachments:
- Attachment A: Revised Natural Gas Reporting and Record Keeping Requirements: Gas Marketer Licence Requirements
 - Attachment B: Comparison version of the Revised Natural Gas Reporting and Record Keeping Requirements: Gas Marketer Licence Requirements showing all revisions relative to the amendments proposed on September 21, 2009
 - Attachment C: Comparison version of the Revised Natural Gas Reporting and Record Keeping Requirements: Gas Marketer Licence Requirements showing all revisions relative to the original version dated December 22, 2004

**Ontario Energy
Board**
P.O. Box 2319
27th. Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

**Commission de l'Énergie
de l'Ontario**
C.P. 2319
27e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone; 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



ATTACHMENT A

NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS GAS MARKETER LICENCE REQUIREMENTS

December 22, 2004

Version dated May 1, 2010

**NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS (RRR)
GAS MARKETER LICENCE REQUIREMENTS
Version dated May 1, 2010**

Table of Contents

1	GENERAL AND ADMINISTRATIVE PROVISIONS	3
1.1	The purpose of these reporting and record keeping requirements.....	3
1.2	Interpretations.....	3
1.3	To whom these reporting are record keeping requirements apply	3
1.4	Manner and format of reporting and record keeping	3
1.5	Confidentiality of information.....	3
1.6	Exemptions	4
1.7	Coming into Force.....	4
2	MARKETER.....	5
2.1	Reporting	5
2.2	Record Keeping	6

**NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS (RRR)
GAS MARKETER LICENCE REQUIREMENTS
Version dated May 1, 2010**

1 GENERAL AND ADMINISTRATIVE PROVISIONS

1.1 The purpose of these reporting and record keeping requirements

These reporting and record keeping requirements set the minimum reporting and record keeping requirements, with which a natural gas marketer must comply, in accordance with section 4.1.1 of its licence. Other reporting and record keeping requirements specific to a natural gas marketer may also be contained in rules, individual licences or regulatory instruments specific to a marketer (for example, an order).

1.2 Interpretation

Unless otherwise defined in these reporting and record keeping requirements, words and phrases that have not been defined shall have the meaning ascribed to them in the Ontario Energy Board Act, 1998 (the "Act"). Headings are for convenience only and shall not affect the interpretation of these licence requirements. Words importing the singular include the plural and vice versa. A reference to a document or a provision of a document includes an amendment or supplement to, or a replacement of, that document or that provision of that document.

1.3 To whom these reporting and record keeping requirements apply

These reporting and record keeping requirements apply to all licensed natural gas marketers.

1.4 Manner and format of reporting and record keeping

The reporting and record keeping requirements will be in the manner and format as prescribed by the Board.

1.5 Confidentiality of information

The Board intends to treat information filed under the Natural Gas Reporting and Record Keeping Requirements (Gas Marketer Licence Requirements) in confidence.

The Board reserves the right to disclose aggregated information as well as information in a form such that the identity of any individual person cannot be determined. The

**NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS (RRR)
GAS MARKETER LICENCE REQUIREMENTS
Version dated May 1, 2010**

Board cautions parties that information treated as confidential may still be disclosed in a proceeding before the Board. However, a party to that proceeding would be able to request the Board to hold the document in confidence in that proceeding. The Board further cautions parties that it is subject to the *Freedom of Information and Protection of Privacy Act* (Ontario).

1.6 Exemptions

The Board may grant an exemption to any provision of these licence requirements. An exemption may be made in whole or in part and may be subject to conditions or restrictions.

1.7 Coming into Force

These requirements shall come into force on July 1, 2005.

The amendments to sections 1.5 and 2.1.1 and the addition of section 2.1.2 come into force on May 1, 2010 and apply to any reporting required to be made on or after that date.

2 MARKETER

2.1 Reporting

2.1.1 A gas marketer shall provide in the form and manner required by the Board, quarterly, on the last day of the second month following the quarter end, information on the total number of customers at the end of the reporting quarter who are low volume consumers as defined in the Act, broken down by type of contract as follows:

- a) Contracts with less than one year remaining in the term of the contract;
- b) Contracts with greater than one year but less than three years remaining in the term of the contract; and
- c) Contracts with between three and five years remaining in the term of the contract.

Only contracts with consumers that have been successfully enrolled (accepted by a gas distributor for flow) or that have been renewed are required to be reported.

Marketers licensed to act as an agent only, are exempt from this requirement.

2.1.2 A gas marketer shall provide in the form and manner required by the Board, quarterly, on the last day of the second month following the quarter end, a summary of the following market monitoring information for the quarter pertaining to low volume consumers:

- a) Number of salespersons who have successfully enrolled a consumer (accepted by a gas distributor for flow) or successfully renewed a contract;
- b) Number of new enrolments (accepted by a gas distributor for flow);
- c) Number of contract renewals;
- d) Marketing approach percentages based on new enrolments (accepted by a gas distributor for flow) and renewed contracts during the reported quarter, broken down by: direct mail, door to door, telesales, internet sales and other;
- e) Number of consumer complaints; and
- f) Retail offers available to customers during the quarter. Details include the contract length, and pricing details.

**NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS (RRR)
GAS MARKETER LICENCE REQUIREMENTS
Version dated May 1, 2010**

Marketers licensed to act as an agent only, are exempt from this requirement.

2.2 Record Keeping

2.2.1 A gas marketer with customers who are low volume consumers as defined in the Act, shall maintain for a period of two years and provide in a form and manner and at such times as may be required by the Board, records of all written complaints by low volume consumers regarding services provided under the terms of the marketer's licence together with the responses to those complaints, containing the following information:

- a) The name and address of the existing or prospective consumer;
- b) A description of the nature of the complaint including a copy of the written complaint;
- c) A description of the remedial action taken; and
- d) A copy of any correspondence received and/or sent with respect to each specific complaint.

2.2.2 A gas marketer with customers who are low volume consumers as defined in the Act, shall maintain on file and provide in a form and manner and at such times as may be required by the Board, records of sales personnel and customer information as referenced by the Code of Conduct for Gas Marketers and containing the following information:

- a) A current list of salespersons who act for that gas marketer;
- b) A list of the gas marketers' customers;
- c) Permission from each customer, signed by the customer, to submit a request to a gas distributor to allow the gas marketer to supply gas to the customer;
- d) The contract with each customer, with the customer's signature, to purchase gas from the gas marketer, or for the gas marketer to purchase gas as agent for the customer, for as long as the contract or any renewal of it is in effect;
- e) Where reaffirmation is required, the notice of reaffirmation of the contract by the customer, for as long as the contract or any renewal of it is in effect;
- f) The notice of acceptance of the renewal or extension from the customer, where such notice is required, for as long as the contract or any renewal of it is in effect; and
- g) Such other information as the Board may reasonably require.

**NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS (RRR)
GAS MARKETER LICENCE REQUIREMENTS
Version dated May 1, 2010**

2.2.3 A gas marketer with customers who are low volume consumers as defined in the Act, shall maintain for a period of two years and provide in a form and manner and at such times as may be required by the Board, records of staff training material containing the following information:

- a) Training manuals and other print material;
- b) Training videos;
- c) Codes of conduct;
- d) Newsletters, bulletins, updates, circulars, notices, instruction sheets and other similar materials;
- e) Scripts used for door-to-door solicitation of existing or prospective customers; and
- f) Certification by each sales employee and sales agent that the training has been received and that the person is familiar with, and will abide by, the Code of Conduct for Gas Marketers.

2.2.4 A gas marketer with customers who are low volume consumers as defined in the Act, shall maintain for a period of two years and provide in a form and manner and at such times as may be required by the Board, marketing information containing the following:

- a) Offers (defined as a proposal to enter into a contract, agency agreement, or any other agreement or combination thereof, made to an existing or prospective consumer), including hard copies of web pages containing offers;
- b) Promotional material including pamphlets, brochures, bill inserts, coupons, and flyers;
- c) Application/ registration forms;
- d) Form letters sent to existing and prospective consumers;
- e) Sample identity cards (including photograph), outerwear, business cards and contact information of sales representatives; and
- f) Reference material including utility bills, price comparisons with details of price offers and forecasts (of the retailer) and other energy suppliers quoted, shown (or carried so as to be seen) or provided to existing or prospective consumers (records shall be kept for each price change in the reference material).

**Ontario Energy
Board**
P.O. Box 2319
27th. Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

**Commission de l'énergie
de l'Ontario**
C.P. 2319
27^e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone; 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



ATTACHMENT B

NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS

GAS MARKETER LICENCE REQUIREMENTS

December 22, 2004

Version dated May 1, 2010

Deleted: January

Table of Contents

1	GENERAL AND ADMINISTRATIVE PROVISIONS	3
1.1	The purpose of these reporting and record keeping requirements.....	3
1.2	Interpretations	3
1.3	To whom these reporting are record keeping requirements apply	3
1.4	Manner and format of reporting and record keeping	3
1.5	Confidentiality of information.....	3
1.6	Exemptions	4
1.7	Coming into Force.....	4
2	MARKETER.....	4
2.1	Reporting	4
2.2	Record Keeping	5

1 GENERAL AND ADMINISTRATIVE PROVISIONS

1.1 *The purpose of these reporting and record keeping requirements*

These reporting and record keeping requirements set the minimum reporting and record keeping requirements, with which a natural gas marketer must comply, in accordance with section 4.1.1 of its licence. Other reporting and record keeping requirements specific to a natural gas marketer may also be contained in rules, individual licences or regulatory instruments specific to a marketer (for example, an order).

Deleted: s

1.2 *Interpretation*

Unless otherwise defined in these reporting and record keeping requirements, words and phrases that have not been defined shall have the meaning ascribed to them in the Ontario Energy Board Act, 1998 (the "Act"). Headings are for convenience only and shall not affect the interpretation of these licence requirements. Words importing the singular include the plural and vice versa. A reference to a document or a provision of a document includes an amendment or supplement to, or a replacement of, that document or that provision of that document.

1.3 *To whom these reporting and record keeping requirements apply*

These reporting and record keeping requirements apply to all licensed natural gas marketers.

1.4 *Manner and format of reporting and record keeping*

The reporting and record keeping requirements will be in the manner and format as prescribed by the Board.

1.5 *Confidentiality of information*

The Board intends to treat information filed under the Natural Gas Reporting and Record Keeping Requirements (Gas Marketer Licence Requirements) in confidence.

**NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS (RRR)
GAS MARKETER LICENCE REQUIREMENTS**

Version dated May 1, 2010

Deleted: January

The Board reserves the right to disclose aggregated information as well as information in a form such that the identity of any individual person cannot be determined. The Board cautions parties that information treated as confidential may still be disclosed in a proceeding before the Board. However, a party to that proceeding would be able to request the Board to hold the document in confidence in that proceeding. The Board further cautions parties that it is subject to the *Freedom of Information and Protection of Privacy Act* (Ontario).

1.6 Exemptions

The Board may grant an exemption to any provision of these licence requirements. An exemption may be made in whole or in part and may be subject to conditions or restrictions.

1.7 Coming into Force

These requirements shall come into force on July 1, 2005.

The amendments to sections 1.5 and 2.1.1 and the addition of section 2.1.2 come into force on May 1, 2010 and apply to any reporting required to be made on or after that date.

Deleted: January

2 MARKETER

2.1 Reporting

2.1.1 A gas marketer shall provide in the form and manner required by the Board, quarterly, on the last day of the second month following the quarter end, information on the total number of customers at the end of the reporting quarter who are low volume consumers as defined in the Act, broken down by type of contract as follows:

- a) Contracts with less than one year remaining in the term of the contract;
- b) Contracts with greater than one year but less than three years remaining in the term of the contract; and
- c) Contracts with between three and five years remaining in the term of the contract.

NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS (RRR)
GAS MARKETER LICENCE REQUIREMENTS

Version dated May 1, 2010

Deleted: January

Only contracts with consumers that have been successfully enrolled (accepted by a gas distributor for flow) or that have been renewed are required to be reported.

Marketers licensed to act as an agent only, are exempt from this requirement.

2.1.2 A gas marketer shall provide in the form and manner required by the Board, quarterly, on the last day of the second month following the quarter end, a summary of the following market monitoring information for the quarter pertaining to low volume consumers:

- a) Number of salespersons who have successfully enrolled a consumer (accepted by a gas distributor for flow) or successfully renewed a contract;
- b) Number of new enrolments (accepted by a gas distributor for flow);
- c) Number of contract renewals;
- d) Marketing approach percentages based on new enrolments (accepted by a gas distributor for flow) and renewed contracts during the reported quarter, broken down by: direct mail, door to door, telesales, internet sales and other;
- e) Number of consumer complaints; and
- f) Retail offers available to customers during the quarter. Details include the contract length, and pricing details.

Deleted: active

Deleted: sales revenue

Marketers licensed to act as an agent only, are exempt from this requirement.

2.2 Record Keeping

2.2.1 A gas marketer with customers who are low volume consumers as defined in the Act, shall maintain for a period of two years and provide in a form and manner and at such times as may be required by the Board, records of all written complaints by low volume consumers regarding services provided under the terms of the marketer's licence together with the responses to those complaints, containing the following information:

- a) The name and address of the existing or prospective consumer;
- b) A description of the nature of the complaint including a copy of the written complaint;

NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS (RRR)
GAS MARKETER LICENCE REQUIREMENTS

Version dated May 1, 2010

Deleted: January

- c) A description of the remedial action taken; and
- d) A copy of any correspondence received and/or sent with respect to each specific complaint.

2.2.2 A gas marketer with customers who are low volume consumers as defined in the Act, shall maintain on file and provide in a form and manner and at such times as may be required by the Board, records of sales personnel and customer information as referenced by the Code of Conduct for Gas Marketers and containing the following information:

- a) A current list of salespersons who act for that gas marketer;
- b) A list of the gas marketers' customers;
- c) Permission from each customer, signed by the customer, to submit a request to a gas distributor to allow the gas marketer to supply gas to the customer;
- d) The contract with each customer, with the customer's signature, to purchase gas from the gas marketer, or for the gas marketer to purchase gas as agent for the customer, for as long as the contract or any renewal of it is in effect;
- e) Where reaffirmation is required, the notice of reaffirmation of the contract by the customer, for as long as the contract or any renewal of it is in effect;
- f) The notice of acceptance of the renewal or extension from the customer, where such notice is required, for as long as the contract or any renewal of it is in effect; and
- g) Such other information as the Board may reasonably require.

2.2.3 A gas marketer with customers who are low volume consumers as defined in the Act, shall maintain for a period of two years and provide in a form and manner and at such times as may be required by the Board, records of staff training material containing the following information:

- a) Training manuals and other print material;
- b) Training videos;
- c) Codes of conduct;
- d) Newsletters, bulletins, updates, circulars, notices, instruction sheets and other similar materials;
- e) Scripts used for door-to-door solicitation of existing or prospective customers; and
- f) Certification by each sales employee and sales agent that the training has been received and that the person is familiar with, and will abide by, the Code of Conduct for Gas Marketers.

2.2.4 A gas marketer with customers who are low volume consumers as defined in the Act, shall maintain for a period of two years and provide in a form and manner and at such times as may be required by the Board, marketing information containing the following:

- a) Offers (defined as a proposal to enter into a contract, agency agreement, or any other agreement or combination thereof, made to an existing or prospective consumer), including hard copies of web pages containing offers;
- b) Promotional material including pamphlets, brochures, bill inserts, coupons, and flyers;
- c) Application/ registration forms;
- d) Form letters sent to existing and prospective consumers;
- e) Sample identity cards (including photograph), outerwear, business cards and contact information of sales representatives; and
- f) Reference material including utility bills, price comparisons with details of price offers and forecasts (of the retailer) and other energy suppliers quoted, shown (or carried so as to be seen) or provided to existing or prospective consumers (records shall be kept for each price change in the reference material).

Ontario Energy Board
P.O. Box 2319
27th. Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416-481-1967
Facsimile: 416-440-7656
Toll free: 1-888-632-6273

Commission de l'énergie de l'Ontario
C.P. 2319
27^e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone: 416-481-1967
Télécopieur: 416-440-7656
Numéro sans frais: 1-888-632-6273



ATTACHMENT C

NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS

Deleted: (RRR)

GAS MARKETER LICENCE REQUIREMENTS

Deleted:

December 22, 2004

Deleted:

Version dated May 1, 2010

Deleted: «Section Break (Next Page)»
¶

Table of Contents

Deleted:

1	GENERAL AND ADMINISTRATIVE PROVISIONS	2
1.1	The purpose of these reporting and record keeping requirements	2
1.2	Interpretations	2
1.3	To whom these reporting and record keeping requirements apply	2
1.4	Manner and format of reporting and record keeping	3
1.5	Confidentiality of information	3
1.6	Exemptions	3
1.7	Coming into Force	3
2	MARKETER	3
2.1	Reporting	3
2.2	Record Keeping	4

1 GENERAL AND ADMINISTRATIVE PROVISIONS

Deleted:

1.1 *The purpose of these reporting and record keeping requirements*

Deleted:

These reporting and record keeping requirements set the minimum reporting and record keeping requirements with which a natural gas marketer must comply, in accordance with section 4.1.1 of its licence. Other reporting and record keeping requirements specific to a natural gas marketer may also be contained in rules, individual licences or regulatory instruments specific to a marketer (for example, an order).

Deleted: They supercede all other

Deleted: existing on the date this rule comes into effect. New requirements may arise in Ontario Energy Board (Board) decisions, orders or directions issued, and licences and

1.2 *Interpretation*

Deleted: issued or amended, after this date. From time to time the Board may request additional or different information from natural gas marketers in

Unless otherwise defined in these reporting and record keeping requirements, words and phrases that have not been defined shall have the meaning ascribed to them in the Ontario Energy Board Act, 1998 (the "Act"). Headings are for convenience only and shall not affect the interpretation of these licence requirements. Words importing the singular include the plural and vice versa. A reference to a document or a provision of a document includes an amendment or supplement to, or a replacement of, that document or that provision of that document.

Deleted: to fulfill its mandate.

Deleted: 1.2 Interpretations ¶

Formatted: Bullets and Numbering

Deleted:

1.3 *To whom these reporting and record keeping requirements apply*

Deleted:

NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS (RRR)
GAS MARKETER LICENCE REQUIREMENTS
Version dated May 1, 2010

These reporting and record keeping requirements apply to all licensed natural gas marketers.

Deleted:

1.4 Manner and format of reporting and record keeping

Deleted:

The reporting and record keeping requirements will be in the manner and format as prescribed by the Board.

Deleted:

1.5 Confidentiality of information

Deleted:

The Board intends to treat information filed under the Natural Gas Reporting and Record Keeping Requirements (Gas Marketer Licence Requirements) in confidence.

Deleted:

The Board reserves the right to disclose aggregated information as well as information in a form such that the identity of any individual person cannot be determined. The Board cautions parties that information treated as confidential may still be disclosed in a proceeding before the Board. However, a party to that proceeding would be able to request the Board to hold the document in confidence in that proceeding. The Board further cautions parties that it is subject to the Freedom of Information and Protection of Privacy Act (Ontario).

Deleted: where

Deleted:

Deleted: This information may be introduced by an inspector under section 110 of the Act, by a party to the proceeding or by the Board itself.

Deleted: .

1.6 Exemptions

Deleted:

The Board may grant an exemption to any provision of these licence requirements. An exemption may be made in whole or in part and may be subject to conditions or restrictions.

Deleted:

1.7 Coming into Force

Deleted:

These requirements shall come into force on July 1, 2005.

Deleted:

The amendments to sections 1.5 and 2.1.1 and the addition of section 2.1.2 come into force on May 1, 2010 and apply to any reporting required to be made on or after that date.

Deleted: «Section Break (Next Page)»

Deleted: .

2 MARKETER

Deleted:

2.1 Reporting

Deleted:

NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS (RRR)
GAS MARKETER LICENCE REQUIREMENTS
Version dated May 1, 2010

2.1.1 A gas marketer shall provide in the form and manner required by the Board, quarterly, on the last day of the second month following the quarter end, information on the total number of customers at the end of the reporting quarter who are low volume consumers as defined in the Act, broken down by type of contract as follows:

- a) Contracts with less than one year remaining in the term of the contract;
- b) Contracts with greater than one year but less than three years remaining in the term of the contract; and
- c) Contracts with between three and five years remaining in the term of the contract.

Only contracts with consumers that have been successfully enrolled (accepted by a gas distributor for flow) or that have been renewed are required to be reported.

Marketers licensed to act as an agent only, are exempt from this requirement.

2.1.2 A gas marketer shall provide in the form and manner required by the Board, quarterly, on the last day of the second month following the quarter end, a summary of the following market monitoring information for the quarter pertaining to low volume consumers:

- a) Number of salespersons who have successfully enrolled a consumer (accepted by a gas distributor for flow) or successfully renewed a contract;
- b) Number of new enrolments (accepted by a gas distributor for flow);
- c) Number of contract renewals;
- d) Marketing approach percentages based on new enrolments (accepted by a gas distributor for flow) and renewed contracts during the reported quarter, broken down by: direct mail, door to door, telesales, internet sales and other;
- e) Number of consumer complaints; and
- f) Retail offers available to customers during the quarter. Details include the contract length, and pricing details.

Marketers licensed to act as an agent only, are exempt from this requirement.

2.2 Record Keeping

2.2.1 A gas marketer with customers who are low volume consumers as defined in the Act, shall maintain for a period of two years and provide in a form and manner and at such times as may be required by the Board, records of all written complaints by low

Formatted: Bullets and Numbering

Deleted: for the first three quarters and the last day of the fourth month following the quarter end for the last quarter

Deleted: contracts with customers who are low volume consumers as defined in the Act, as follows: ¶
<#>(a) . the total number of new customers successfully enrolled (accepted by the utility for flow) in the reporting quarter; and ¶
(b) .

Deleted: .

Deleted: ¶
2.2 .

Deleted:

NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS (RRR)
GAS MARKETER LICENCE REQUIREMENTS
Version dated May 1, 2010

volume consumers regarding services provided under the terms of the marketer's licence together with the responses to those complaints, containing the following information:

- a) **The** name and address of the existing or prospective consumer;
- b) **A** description of the nature of the complaint including a copy of the written complaint;
- c) **A** description of the remedial action taken; and
- d) **A** copy of any correspondence received and/or sent with respect to each specific complaint.

Deleted:

Deleted: (a) . the

Deleted:

Deleted: (b) . a

Deleted:

Deleted: (c) . a

Deleted:

Deleted: (d) . a

Deleted:

Deleted: .

2.2.2 A gas marketer with customers who are low volume consumers as defined in the Act, shall maintain on file and provide in a form and manner and at such times as may be required by the Board, records of sales personnel and customer information as referenced by the Code of Conduct for Gas Marketers and containing the following information:

- a) **A** current list of salespersons who act for that gas marketer;
- b) **A** list of the gas **marketers'** customers;
- c) **Permission** from each customer, signed by the customer, to submit a request to a gas distributor to allow the gas marketer to supply gas to the customer;
- d) **The** contract with each customer, with the customer's signature, to purchase gas from the gas marketer, or for the gas marketer to purchase gas as agent for the customer, for as long as the contract or any renewal of it is in effect;
- e) **Where** reaffirmation is required, the notice of reaffirmation of the contract by the customer, for as long as the contract or any renewal of it is in effect;
- f) **The** notice of acceptance of the renewal or extension from the customer, where such notice is required, for as long as the contract or any renewal of it is in effect; and
- g) **Such** other information as the Board may reasonably require.

Deleted:

Deleted:

Deleted: (b) . a

Deleted: marketer's

Deleted:

Deleted: (c) . permission

Deleted:

Deleted: (d) . the

Deleted:

Deleted: (e) . where

Deleted:

Deleted: (f) . the

Deleted:

Deleted: (g) . such

Deleted:

2.2.3 A gas marketer with customers who are low volume consumers as defined in the Act, shall maintain for a period of two years and provide in a form and manner and at such times as may be required by the Board, records of staff training material containing the following information:

- a) **Training** manuals and other print material;
- b) **Training** videos;
- c) **Codes** of conduct;

Deleted:

Deleted:

Deleted: (b) . training

Deleted:

Deleted: (c) . codes

Deleted:

NATURAL GAS REPORTING AND RECORD KEEPING REQUIREMENTS (RRR)
GAS MARKETER LICENCE REQUIREMENTS
Version dated May 1, 2010

- d) Newsletters, bulletins, updates, circulars, notices, instruction sheets and other similar materials; Deleted: (d) newsletters
Deleted:
- e) Scripts used for door-to-door solicitation of existing or prospective customers; and Deleted: (e) scripts
Deleted:
- f) Certification by each sales employee and sales agent that the training has been received and that the person is familiar with, and will abide by, the Code of Conduct for Gas Marketers. Deleted: (f) certification
Deleted:

2.2.4 A gas marketer with customers who are low volume consumers as defined in the Act, shall maintain for a period of two years and provide in a form and manner and at such times as may be required by the Board, marketing information containing the following:

- a) Offers (defined as a proposal to enter into a contract, agency agreement, or any other agreement or combination thereof, make to an existing or prospective consumer), including hard copies of web pages containing offers; Deleted: made
Deleted: Web
Deleted:
- b) Promotional material including pamphlets, brochures, bill inserts, coupons, and flyers; Deleted: (b) promotional
Deleted:
- c) Application/ registration forms; Deleted: (c) application
Deleted:
- d) Form letters sent to existing and prospective consumers; Deleted: (d) form
Deleted:
- e) Sample identity cards (including photograph), outerwear, business cards and contact information of sales representatives; and Deleted: (e) sample
Deleted:
- f) Reference material including utility bills, price comparisons with details of price offers and forecasts (of the retailer) and other energy suppliers quoted, shown (or carried so as to be seen) or provided to existing or prospective consumers (records shall be kept for each price change in the reference material). Deleted: (f) reference
Deleted: