

National Energy  
Board



Office national  
de l'énergie

File OF-EI-Elec-C993-2016-01 01  
21 September 2016

Ms. Nola Ruzycki  
Vice President, Regulatory Affairs  
Commerce Energy, Inc. (subsidiary of Just  
Energy Group Inc.)  
6345 Dixie Road, Suite 200  
Mississauga, ON L5T 2E6  
Facsimile 905-564-6069

Mr. Neal Hewitt  
Senior Legal Counsel  
Commerce Energy, Inc. (subsidiary of Just  
Energy Group Inc.)  
6345 Dixie Road, Suite 200  
Mississauga, ON L5T 2E6  
Facsimile 905-564-6069

Dear Ms. Ruzycki and Mr. Hewitt:

**Commerce Energy, Inc. application dated 18 July 2016 for authorization to export electricity pursuant to Section 119.03 of the *National Energy Board Act***

On 18 July 2016, Commerce Energy, Inc. (CEI) applied to the National Energy Board (Board) for authorization to export a combined maximum of 4 380 000 MW.h of firm and interruptible energy in any consecutive 12-month period for a period of 10 years.

The Board has decided, pursuant to section 119.03 of the *National Energy Board Act*, to issue an electricity export permit to CEI for firm and interruptible energy exports, subject to the conditions included in the attached Permit. The term of the attached permit EPE-415 will commence on 22 September 2016 and end on 22 September 2026.

The Board reminds CEI that, pursuant to section 8 of the *National Energy Board Export and Import Reporting Regulations*, within 15 days after the end of each month during the term of a permit, CEI shall file with the Board a report in such form and detail as the Board may specify, setting forth for that month, information pertaining to transactions under the permit.

Yours truly,

*Original signed by*

Sheri Young  
Secretary of the Board

Attachment

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**PERMIT EPE-415**

**IN THE MATTER OF** section 119.03 of the *National Energy Board Act* and the regulations made thereunder, and

**IN THE MATTER OF** an application by Commerce Energy, Inc., for authorization to export electricity, filed with the National Energy Board (Board) under File OF-EI-Elec-C993-2016 01 01.

**BEFORE** the Board on 21 September 2016.

**WHEREAS** in an application dated 18 July 2016, Commerce Energy, Inc. (CEI) requested an authorization to export firm and interruptible energy from Canada to the United States of America;

**AND WHEREAS** CEI published a notice of application and directions on procedure on 30 July 2016, in English and French, in the *Canada Gazette*, Part I;

**AND WHEREAS** no submissions were received from interested parties regarding the application;

**AND WHEREAS** the Board is satisfied that the parties interested in buying electricity for consumption in Canada will be given fair market access to any electricity proposed for export under this permit, as conditioned;

**AND WHEREAS** the Board is satisfied that the proposed exports will not cause any unacceptable effects on provinces other than those from which exports will occur;

**AND WHEREAS** the Board has determined, after considering the information provided by the CEI, that further public review of the application is not warranted;

**IT IS ORDERED THAT** CEI be and is hereby authorized to export firm and interruptible energy between Canada and the United States of America, subject to the following terms and conditions:

1. The term of this Permit shall commence on 22 September 2016 and shall end on 22 September 2026.
2. The classes authorized hereunder shall be for sales, equichange, carrier and adjustment transfers.

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3. The energy to be exported hereunder may be transmitted over any of the international power lines located in Canada for which the Board has issued, or will issue, a Certificate of Public Convenience and Necessity, or a Permit.
4. The combined maximum quantity of energy that may be exported hereunder is 4 380 000 MW.h of firm and interruptible energy in any consecutive 12 month period.
5. For sales transfers, CEI shall not export energy hereunder, without first:
  - i. informing those who have declared an interest in buying electricity for consumption in Canada of the quantities and classes available for sale; and
  - ii. giving an opportunity to purchase electricity on terms and conditions as favourable as the terms and conditions which apply to the proposed exports, to those who, within a reasonable time after being so informed, demonstrate an intention to buy electricity for consumption in Canada.
6. For sales transfers, CEI shall:
  - i. for exports of less than one month duration, subsequent to the commencement of an export, inform all accessible Canadian purchasers, upon request, of the terms and conditions under which a particular export was made, and, upon request, file the terms and conditions with the Board; and
  - ii. for exports of one month or more in duration, or a series of similar consecutive exports of less than one month in duration to the same customer that together exceed one month or more in duration, file with the Board, within 15 consecutive days of execution, a copy of any specific contractual arrangements associated with an export and, upon request, serve a copy thereof on requesting accessible Canadian purchasers.
7. CEI is directed to maintain a file until 22 September 2027, for Board inspection, of all contracts entered into under this Permit for the period commencing 22 September 2016 and ending on 22 September 2026.

#### NATIONAL ENERGY BOARD

*Original signed by*

Sheri Young  
Secretary of the Board