

October 24, 2006

**VIA E-MAIL**

Direct Energy Marketing Limited  
111 – 5<sup>th</sup> Avenue S.W., Suite 1000  
Calgary, Alberta T2P 3Y6

**Attention: Ms. Chantelle Bramley  
Manager, Government & Regulatory Affairs, Western Region**

Dear Ms. Bramley:

**Re: Revisions to Direct Energy Code of Conduct Compliance Plans**

The EUB is in receipt of your application # 1478701 dated, September 13, 2006, in which you note that revisions have been made to the approved Compliance Plans for Direct Energy Regulated Services (DERS) and Direct Energy Partnership (DEP). Your application indicates that revisions have been made to reflect the re-branding of Direct Energy Preferred effective December 1, 2006. As a result of the re-branding, Direct Energy Partnership will now operate in Alberta under the brand name “Direct Energy”. Your application also indicates a change in the Compliance Plan Committee as a result of reorganization.

You noted that the requested changes to the previously approved DERS and DEP Compliance Plans include; the amendment to the definitions of “Direct Energy Preferred” and “Compliance Plan Committee”, position titles referenced in various compliance mechanisms, and the removal of the Direct Energy Essential Services (DEES) and Direct Energy Business Services (DEBS) logos. Accordingly, your view is that it would be appropriate to amend the Compliance Plans to reflect the re-branding and organizational changes and ensure that the Plans are kept up to date.

You also noted that under Section X (A), Policy 3, Mechanism 5 (m) of the DERS and DEP Compliance Plans, the Compliance Plan Committee is required to “Consider any necessary changes to the Compliance Plan that reflect changed circumstances or improved practices” on at least a quarterly basis. As such, DERS has submitted the revised compliance plans for review and approval.

Under the provisions of Section 18 of the *Alberta Energy and Utilities Board Act*, the Board has delegated to me, as the Head of the Audit and Compliance Group, Utilities Branch, the authorization to exercise certain powers conferred upon it by the *Gas Code of Conduct Regulation (GCCR)*, including those powers referred to in Section 32(3) of the *Gas Code of Conduct Regulation*.

The revised plans filed with the Board and your correspondence have been reviewed and I am satisfied that the DERS and DEP Compliance Plans continue to meet the requirements of the GCCR.

Accordingly, under the authority of the delegation noted above, I approve the requested modifications to the Compliance Plans.

The revised Compliance Plans should be posted on your website, by December 1, 2006, the effective date of the branding changes. Copy of the letter authorizing this approval should also be posted on your website for a period of 180 days.

If you have any questions about these approvals, or wish to discuss them further, please contact Karen McCambly, Compliance Analyst, Utilities Branch at (403) 297-5363.

Yours truly,

*(Original signed by)*

Darcy Mazurkewich  
Head, Audit and Compliance Group, Utilities Branch

cc Douglas Wilson, Legal Counsel  
Market Surveillance Administrator