

13.2 Marketplaces

13.2.1 Notice of Approval – Application to Vary and Restate the Exemption Order of Natural Gas Exchange Inc.

APPLICATION TO VARY AND RESTATE THE EXEMPTION ORDER OF NATURAL GAS EXCHANGE INC.

NOTICE OF APPROVAL

On February 1, 2011, the Commission issued an order (Variation Order) pursuant to section 144 of the *Securities Act* (Ontario) varying and restating the exemption order of Natural Gas Exchange Inc. (NGX), dated March 31, 2009. The amendments acknowledge that NGX provides clearing and settlement services and imposes on NGX a requirement that it carry out such activities in a manner that would meet the clearing agency criteria.

The Commission published for comment NGX's application for a variation on December 10, 2010 at (2010) 33 OSCB 11571. No comments were received. A copy of the Variation Order is published in Chapter 2 of this Bulletin.

There was a minor change to Term and Condition #11 in Schedule F as follows:

- "11. NGX will promptly notify staff of the Commission of any of the following:
- (a) any material change to the business or operations of NGX or the information as provided in the Application;..."