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VIA EMAIL & MAIL

February 8, 2012

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Board Staff Interrogatories
Electricity Retailer Licence Application EB-2011-0299
Gas Marketer Licence Application EB-2011-0343**

Please find enclosed Sunwave Gas & Power's responses to Board Staff's Interrogatories dated, February 3, 2012.

If you require any further information please do not hesitate to contact the undersigned, or Stephen Plummer at 416-253-2500 and by email at splummer@sunwavegas.com.

Yours very truly,

A handwritten signature in black ink, appearing to read "Nino C. Silvestri".

Nino C. Silvestri
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Encl.

Response to Board Staff Interrogatories

Sunwave Gas & Power Inc. (“Sunwave”)

**Gas Marketer Licence Application
EB-2011-0299**

**Electricity Retailer Licence Application
EB-2011-0343**

February 8, 2012

1. *Ref: Section 15 b) iii) of the Gas Marketer and Electricity Retailer Licence Application Forms – Personal Experience in the Energy Sector for Key Individual #1, Curriculum Vitae of Nino Silvestri and Key Individual #3, Darryl Parent.*

The Curriculum Vitae for Mr. Silvestri states that he was Senior Vice President, Marketing and Business Development, Direct Energy Marketing Limited ("Direct Energy") from May 1996 to May 2000, and President, Silvestri Energy Services Limited from May 2000 to March 2005 during which time Direct Energy was a major client. The Curriculum Vitae for Mr. Parent states that he was Director, Asset Management, Direct Energy from May 1995 to August 2006. Please provide the following information for the period May 1996 to March 2005 for Mr. Silvestri and if applicable, please respond separately for each role, and for the period of May 1995 to August 2006 for Mr. Parent.

For each of Mr. Silvestri and Mr. Parent, please provide responses to the following:

Prior to February, 1997, Direct Energy was a privately held company that earned all of its revenues from sales to large volume natural gas customers such as industrial, institutional, and natural gas marketers and retailers. During February, 1997, Direct Energy was acquired by the Optus Natural Gas Income Distribution Fund ("Optus"). It was under the ownership of Optus that Direct Energy commenced natural gas sales to low-volume natural gas customers.

Mr. Silvestri resigned as an employee and officer of Direct Energy in May, 2000. Mr. Silvestri acted as a consultant for Direct Energy post May, 2000. The majority of Mr. Silvestri's role as a consultant was to assist and advise in the transition of Direct Energy's operations under the new ownership with Centrica Plc during the summer and fall of 2000. Mr. Silvestri had minor assignments with Direct Energy to advise on long-term wholesale export and natural gas pipeline transportation contracts post the fall of 2000.

Mr. Parent's role and responsibilities during his tenure at Direct Energy dealt mainly in the area of energy procurement and risk management. Mr. Parent had minimal involvement with Direct Energy's low volume natural gas and electricity customers, and regulatory, legal and compliance matters and issues.

- a. *Describe your role at Direct Energy for ensuring compliance with its legal and regulatory requirements?*

During the period from February, 1997 to April, 2000, Mr. Silvestri was responsible for overseeing Direct Energy's compliance with legal and regulatory requirements, which were pursuant to various provincial and national energy legislation(s) such as the National Energy Board Act, the Ontario Energy Board Act, and associated regulations, codes and Acts. During this time period there were no formal compliance inquiries, fines, investigations, findings or penalties issued.

During the period from February, 1997 to April, 2000, in Mr. Silvestri's position as the Senior Vice President, Marketing and Business Development, he was responsible for customer care and regulatory submissions made on behalf of Direct Energy to the Ontario Energy Board as well as to other provincial energy boards and governmental bodies. In addition, Mr. Silvestri was responsible for reviewing all marketing programs and materials for low-volume natural gas and electricity customers.

Mr. Parent's eleven year career at Direct Energy was exclusive to the Energy Procurement/Risk, Asset Management and eastern Canadian Industrial/Wholesale marketing sides of the business. With the exception of energy (natural gas) procurement responsibilities for Direct Energy's Eastern "delivered" supply requirements (for both low volume and large volume customers), Mr. Parent was not involved, at any level, with low-volume customer compliance, oversight management or regulatory requirements, with the only exception of following National Energy Board and/or Ontario Energy Board regulatory governances as it applies to large wholesale natural gas transportation transactions into Ontario.

b. Describe your accountabilities, directly or indirectly, for any person(s) conducting gas marketing and/or electricity retailing to residential and/or small commercial consumers on behalf of Direct Energy?

During the period from February, 1997 to April, 2000, Mr. Silvestri was responsible for developing Direct Energy's marketing materials and products which were offered to low-volume energy consumers. In addition, Mr. Silvestri worked with various natural gas and electricity utilities. Mr. Silvestri participated in developing the market rules with respect to low-volume Ontario electricity consumers during the initial market design phase of the Ontario electricity market, by sitting on various sub-committees of the Market Design Committee. Mr. Silvestri was not responsible for the direct marketing and sales to low-volume energy consumers, as such responsibility was exclusively carried out by an independent contractor who reported directly to the President of Direct Energy.

Mr. Parent was not responsible on any level, directly or indirectly, for any person(s) conducting gas marketing and/or electricity retailing to residential and/or small commercial consumers on behalf of Direct Energy, during Mr. Parent's tenure at Direct Energy.

c. Describe your accountabilities, directly or indirectly, for any person(s) making representations to residential and/or small commercial consumers for the purpose of effecting sales of gas and/or electricity on behalf of Direct Energy?

Mr. Silvestri was not directly responsible for any person(s) making representations to low-volume energy consumers for the purpose of effecting sales of gas and/or electricity on behalf of Direct Energy. Mr. Silvestri was indirectly responsible for ensuring that any person(s) making representations to low-volume energy consumers were properly trained to ensure compliance with prevailing rules and regulations. This indirect association was a result of the development Mr. Silvestri did in relation to the training materials used for person(s) making representations to small volume consumers. In Mr. Silvestri's capacity as Senior Vice President, Marketing and Business Development, Mr. Silvestri was responsible for overseeing customer service and customer care for Direct Energy's low-volume energy customers. As such and within that capacity, Mr. Silvestri was only after the fact, indirectly associated with person(s) making representation to small volume consumers.

Mr. Parent was not accountable or responsible, directly or indirectly, on any level, for any person(s) making representations to residential and/or small commercial consumers for the purpose of effecting sales of gas and/or electricity on behalf of Direct Energy, during Mr. Parent's tenure at Direct Energy.

d. Describe your accountabilities, directly or indirectly, for any person(s) entering into agency agreements with residential and/or small commercial consumers on behalf of Direct Energy?

Mr. Silvestri was responsible for overseeing the preparation of agency agreements and contracts with respect to residential and/or small commercial customers on behalf of Direct Energy. Mr. Silvestri worked with internal and external legal counsel to ensure compliance of such agreements with various provincial legislation, and associated regulations and codes. Mr. Silvestri was not responsible for the direct marketing of agency agreements and contracts with residential and/or small commercial consumers on behalf of Direct Energy, as such responsibility was exclusively carried out by an independent contractor, who reported directly to the President of Direct Energy.

Mr. Parent was not accountable, directly or indirectly, on any level, for any person(s) entering into agency agreements with residential and/or small commercial consumers on behalf of Direct Energy, during his tenure at Direct Energy.