

December 10, 2018

VIA FEDEX

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

**RE: XOOM Energy ONT, ULC
Application for an Electricity Retailer Licence - OEB File Number EB-2018-0297; and
Application for a Gas Marketer Licence - OEB File Number EB-2018-0298**

Dear Sirs/Mesdames,

XOOM Energy ONT, ULC ("XOOM") hereby submits its responses to questions asked by the Ontario Energy Board ("OEB") regarding XOOM's licence applications.

Immediately below are the questions and responses:

Question:

1. Section 14. Legal Proceedings, Question (g)

This section requires the applicant to provide a number of customer complaints filed with the OEB within at least the last two years. XOOM has provided information only for the 2nd Quarter of 2018.

- a. Please confirm that there were no other complaints filed.
- b. Please describe how XOOM has resolved the customer complaint.

Response:

- a. There have been no other complaints filed with the OEB within the past two years.
- b. Not applicable.

Question:

2. Exhibit 11 (b), Section 2. (1) Contracting with Customers

In this section XOOM stated that it "intends to enroll customers *primarily* [emphasis added] through electronic enrollment over the internet..."

Please identify all sales channels that XOOM intends to use to enroll customers.

Response:

XOOM has and currently enrolls customers only through electronic enrollment over the internet. The addition of the word "primarily" was used to provide flexibility for any future business decisions that may impact enrollment methods. XOOM will notify the OEB well in advance if it has plans to expand its sales channels beyond internet enrollment.

Question:

- 3. Describe how XOOM intends to ensure compliance with its legal and regulatory obligations in Ontario. In your response describe the staff, policies, processes and procedures in place or to be put in place to ensure compliance. Please provide the names and titles of all individuals that are or will be accountable for compliance, complaint handling and/or quality assurance and describe fully their expertise in each applicable area.**

Response:

XOOM has on staff multiple individuals that focus on compliance, complaint handling and/or quality assurance.

For regulatory and compliance matters, Stephanie Kueffner, Regulatory Counsel, and Parker Tinsley, Regulatory Specialist, focus specifically on the obligations that XOOM must fulfill. Ms. Kueffner has over fifteen years of legal experience as counsel on matters in energy, the environment, banking, and intellectual property. Ms. Kueffner has served as associate counsel for XOOM Energy, LLC, single-member manager of XOOM, since January 2013. Parker Tinsley, possessing a graduate degree in public policy, has close to three years of experience working in the energy sector in both government and private entity settings. Mr. Tinsley has experience with state energy legislation development, utility program management, supplier reports and filings, and retailer/marketer business consultation.

On the subject of complaint handling and/or quality assurance, Patti Kulesa, Compliance Manager, brings over twenty years of experience in the energy sector to the compliance/quality assurance division of XOOM. Ms. Kulesa possesses years of institutional knowledge concerning operations, customer satisfaction, and quality assurance. Ms. Kulesa leads of a team of four compliance analysts, consisting of Patricia Eak, Brenda Adams, Rudy Aguila, and Lawrence Harris. Ms. Eak also comes from the energy sector, with over twenty years of experience working with multiple suppliers in both business services and customer service positions. Ms. Adams, a National Guard Reserve, has over five years of experience in human resources and customer service related roles. Mr. Aguila, approaching four years of service with XOOM has been promoted through multiple levels of the business starting with customer care, moving up to sales, then to customer retention, and has been working on the compliance team for almost a full year. Mr. Harris, with ten years of experience in banking fraud analysis, joined the compliance team during the summer of 2018. Ms. Kulesa and her team resolve customer issues, work with regulatory bodies on fulfilling customer desires, review customer enrollments, and investigate questionable customer activity.

XOOM has both internal and external processes to ensure compliance with its legal, regulatory, and compliance obligations in Ontario.

Regarding internal processes, XOOM relies both on their regulatory staff and an electronic calendar system to monitor regulatory reporting obligations in Ontario. The electronic calendar system allows XOOM to set dates and reminders of when specific items are due for filing, what department must provide information, and how the information is filed. Ms. Kueffner and Mr. Tinsley comb through the data provided, raise questions, and ensure that information is filed timely and accurately. Ms. Kueffner and Mr. Tinsley have also developed an internal business process that requires all business teams to report on what activities they are carrying out to make sure that all activities pursued in compliance with applicable statutes and regulations.

Compliance related matters, such as verifying enrollments and addressing customer complaints, also require a mix of internal and external policies and procedures. For potential customers interested in our products, they can visit XOOM's website to view products, pricing, and terms of service. A customer can then select a product that fits their needs. The customer is then presented with an online enrollment process that collects their customer information and presents their applicable terms of service, disclosure statements, price comparisons, electricity supply mix

(when applicable) and gathers affirmations as required by regulation. Immediately upon completion of an enrollment, the customer is sent a confirmation email that outlines the product for which the customer just enrolled. Also included in this email is a copy of the terms and conditions, disclosure statement. This enrollment is then “parked” for ten days, during which time we do not contact the customer. After ten days, a customer is sent a notification to complete a third-party verification (“TPV”). This notice allows the customer to choose their preferred method of completing a TPV – whether online or over the phone. If a customer chooses to complete a TPV online, they complete this through “TPV Ninja.” TPV Ninja allows a customer to verify their enrollment information through a cellular phone, computer, or tablet by being given a customer-specific link that confirms the terms and conditions of their specific enrollment. Should a customer not respond to the original notification to complete their TPV, they will receive a text message and/or email every eight days for the thirty-five days following the ten day cooling off period. Once the forty-fifth day is reached and the TPV is not completed, the enrollment is cancelled.

During the online TPV, customers have the ability to review all contract documents as well as being presented with contact information for the OEB, which includes a link to the OEB website. In the event that a customer wishes to complete a TPV by phone, they are provided with the TPV company’s direct line, which the customer will use to speak with a live representative to verify the enrollment. In any case, an enrollment is only sent to the utility after the completion of a successful TPV. At this point, a customer will be sent a “Welcome Letter” that confirms their enrollment and includes another set of contract documents.

There are additional compliance-related processes in place. XOOM requires that all independent representatives be trained and accredited prior to them marketing XOOM products. After completing the training module, representatives are required to complete an accreditation test, affirm to XOOM’s Code of Conduct, and create their identification badge on XOOM’s platform. The accreditation process tests representatives’ knowledge of XOOM, its products, and rules and regulations of the energy market. XOOM retains the ability to, at any time, deactivate an agent’s accreditation should they violate any of XOOM’s policies and procedures. One such process to monitor representatives is “daily alerts,” which review certain criteria with regard to the previous day’s enrollments to XOOM’s customer database. For example, if there are multiple enrollments with the same e-mail address, phone number, or other customer information, the compliance team will then investigate these enrollments and follow up with the customer by calling the customer and/or sending a postcard to the customer.

Please feel free to contact me at XOOM_Regulatory@xoomenergy.com or call me at 704-274-1450 with questions. Thank you in advance.

Respectfully,

Original signed by

Parker Tinsley
Regulatory Specialist
XOOM Energy, LLC, single-member
manager of XOOM Energy ONT, ULC