

CONSUMER COMPLAINTS & DISCIPLINARY ACTIONS



Illinois Power Agency Adjustable Block Program Consumer Complaints & Disciplinary Actions Annual Report - 2020

February 9, 2021

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1. Introduction

As part of its Consumer Protection provisions, Section 6.13.3 of the Illinois Power Agency’s (“IPA” or “Agency”) original Long-Term Renewable Resources Procurement Plan (“Plan”) approved by the Illinois Commerce Commission in Docket No. 17-0838 provides as follows:

“To the extent feasible, the Agency will work with its Program Administrator to maintain a public database of complaints (with any confidential or particularly sensitive information redacted from public entries). Approved Vendors found by the Agency to have violated consumer protection standards may be subject, at minimum, to suspension or revocation of their Approved Vendor status by the Agency, and if in violation of local, state, or federal law, also potential civil or criminal penalties from other relevant authorities. **The Agency will provide an annual written report to the Commission documenting the frequency and nature of complaints, and any enforcement actions taken.**”¹

This annual Consumer Complaints and Disciplinary Actions Report has been prepared and submitted in compliance with this provision and a similar provision in the IPA’s Revised Plan approved by the Commission in Docket No. 19-0995. A public database of complaints is also located on both the www.illinoisabp.com and www.illinoisshines.com sites. The Adjustable Block Program Administrator has been tracking consumer complaints since November 1, 2018—the date when the Adjustable Block Program began accepting Approved Vendor applications.

On October 2, 2019, a more formalized process was established which gave consumers the ability to submit written complaints via an electronic form on the Adjustable Block Program website to the Program Administrator regarding the actions or behavior of an Approved Vendor or a Designee of an Approved Vendor. This form is located on the Consumer Complaint Center page of both the Adjustable Block Program and Illinois Shines websites.² On October 24, 2019, the Program Administrator implemented a phone line and email address dedicated solely to Adjustable Block Program consumer complaints. Lastly, on March 25, 2020, information was added to the Consumer Complaint Center pages regarding how to file complaints with the Illinois Attorney General’s Office and the Illinois Commerce Commission to provide Program participants with additional avenues for a resolution to their complaint.

2. Scope of Report

This report is the second annual consumer complaint report to analyze consumer complaints received by the Adjustable Block Program.³ The scope of the 2020 report includes complaints received by the Program Administrator from January 1, 2020 to December 31, 2020 and provides summarized data on these complaints in aggregate, as well as a narrative summary of a sampling of complaints. This report focuses

¹ [Final Revised Long-Term Renewable Resources Procurement Plan](#) at 151.

² On the ABP website: <https://illinoisabp.com/consumer-complaint-center> and on the Illinois Shines site: <https://illinoisshines.com/consumer-complaint-center/>.

³ See <https://www.icc.illinois.gov/downloads/public/edocket/517445.pdf>.

only on complaints related to the Adjustable Block Program and does not include any complaints that may have been received by the Illinois Solar for All Program Administrator.⁴

The 2019 Consumer Complaints Report included a summary of each complaint that the Program Administrator received from the outset of the Program. Due to the increase in volume of complaints received in 2020, illustrative examples of complaints for each complaint category are summarized in this report rather than including a summary of every complaint. This specific group of complaints were selected on the basis of how well they exemplified the category of complaint under which they fall.

In the course of Program participation, Adjustable Block Program consumers receive materials — particularly, the Program informational brochure and Disclosure Form — which provide information on how a complaint may be submitted. In some cases, complaints are first submitted to the Illinois Power Agency rather than to the Program Administrator. In other cases, complaints may be received by another entity (a solar company, the Office of the Attorney General, Citizens Utility Board, the Illinois Commerce Commission, local or municipal officials, a state legislator); this report covers only those complaints received by the Program Administrator, whether directly or through referral from another entity. Consequently, the number of complaints received may not reflect the full universe of consumer complaints related to the Agency's programs. The IPA encourages any entities receiving a complaint regarding the Adjustable Block Program to share information with its Program Administrator and has established a monthly Illinois Solar Consumer Protections Working Group, with representatives from the IPA, the Office of the Attorney General, Citizens Utility Board, the Illinois Commerce Commission, and Elevate Energy (the Illinois Solar for All Program Administrator) to share relevant information and complaints with the Program Administrator.

The Program Administrator seeks to respond to and investigate all complaints as soon as possible upon receipt. After receiving a complaint from a consumer, the Program Administrator follows up with both the complainant and the Approved Vendor and/or Designee potentially involved to seek more information. The Program Administrator then attempts to work with the Approved Vendor and/or Designee to come to a suitable solution to the complainant's issue. The Program Administrator records all complaints received and documents steps taken toward resolution. In some cases, a complainant or the complainant's preferred resolution is outside the scope of the Program or the jurisdiction of the Program Administrator.⁵ However, even when the Program Administrator determines a complaint is outside the scope of the Program, the Program Administrator takes reasonable steps to encourage the relevant Approved Vendor or Designee to resolve a complaint as completely and satisfactorily as possible.

In addition to the summary of complaints received, this report includes a summary of disciplinary actions taken by the Program Administrator against Approved Vendors or Designees. In calendar year 2020, the Program Administrator rendered disciplinary action seven times; two of these decisions stemmed from

⁴ In 2020 the Illinois Solar for All Program only received five complaints. Three complaints related to Approved Vendors not responding to interested parties in a timely manner, and one complaint related to an employee of an Approved Vendor being rude. Two of the complaints (including one of the non-responsive complaints) related to interest in subscribing to community solar projects that are not yet accepting subscriptions.

⁵ Complaints outside the scope of the Illinois Adjustable Block Program include property damage and contract disputes; items that cannot be addressed by the scope and authority of the Program.

consumer complaints, and five stemmed from violations of the IPA's emergency updates to the Program's marketing guidelines related to the ongoing COVID-19 pandemic.⁶

3. Disciplinary Action Process

Upon a determination that Program requirements have been violated, the Program Administrator may also take disciplinary actions against an Approved Vendor and/or Designee. While the IPA lacks plenary authority to restrict market activity generally, discipline may come from a suspension of the offending entity's ability to participate in transactions receiving funding through this state-administered incentive Program.

Should the Program Administrator suspect or determine that an Approved Vendor, Designee, or other entity working through the Program is not acting or has not acted in compliance with Program requirements, the Program Administrator will notify that entity through an e-mail that outlines the problematic behavior, explains how the behavior is non-compliant with Program requirements, and will request explanatory information and/or supporting documentation on the issue. After a review of any such response and further investigation into the facts and circumstances of a potential violation, the Program Administrator will determine what discipline, if any, should apply to that entity. Once it is determined that disciplinary action is warranted, the Program Administrator will send a formal letter to that entity detailing the infraction, the terms of the suspension, and steps to appeal the suspension. The Program Administrator may also issue warning letters in lieu of a suspension. The Program Administrator will also communicate and provide a copy of this determination to the IPA.

The Program Administrator's determinations of discipline may be appealed to the IPA. The opportunity to appeal, as well as a deadline by when such appeal must be made, is communicated by the Program Administrator to the offending entity. To appeal to the IPA, the entity must provide a request for reconsideration of discipline in writing on company letterhead explaining its rationale for why it believes the Program Administrator's determination is in error, as well as sharing any supporting information, documents, or communications. The IPA may request additional information and materials from the entity, and/or seek to schedule a call or informal discussion with the entity to learn more about the basis for its position.

The IPA attempts to issue final determinations on discipline, including a supporting rationale for its decision, as soon as practicable after the receipt of an appeal and review of relevant information.

4. Consumer Complaint Data Summary

This section of the report summarizes the complaints received by the Program Administrator in various displays of data.

As of December 31, 2020, the Adjustable Block Program has received a total of 28,430 Part I project applications. This total number can be broken down in the following categories: 24,834 Small Distributed

⁶ Most recent update to COVID-19 Related Marketing Guidelines found here: <https://illinoisabp.com/2020/10/07/updated-covid-19-related-marketing-guidelines-october-7-2020/>

Generation Part I applications, 2,824 Large Distributed Generation Part I applications, and 772 Community Solar Part I applications.^{7, 8}

In calendar year 2020, a total of 77 complaints were submitted to the Adjustable Block Program Administrator. This was an increase from the 28 complaints received in 2019. It is worth noting that consumer complaints, submitted during any year, could be connected to an application submitted during a prior year. For example, a complaint received in 2020 could be connected to an application submitted in 2019.

a. Complaints Received – By Entity Type

There are two entity types that “participate” in the Adjustable Block Program: Approved Vendors and their Designees. The data in this section of the report organizes complaints received by each entity type that participates in the Program.

- An *Approved Vendor* is an entity registered with the Program serving as the counterparty to Renewable Energy Credit (“REC”) delivery contracts under the Program. Approved Vendors may be large national solar companies, smaller local installers, aggregators acting on behalf of other Program participants, or other entity types. As this entity is contractually responsible for the delivery of RECs under contracts stemming from the Program, these entities are first vetted through an application process.
- A *Designee* is an entity acting on behalf of an Approved Vendor in the Program (and thus are generally, although not exclusively, customer-facing sales, solicitation, or installation firms). All Designees must register with the Program in the various roles a Designee might perform for an Approved Vendor. A Designee can register for more than one role, in an effort to accurately reflect the Designee’s role and relationship with the Approved Vendor. In general, there are four roles that Designees may be performing on behalf of one or multiple Approved Vendor:⁹
 - *Disclosure Form Designee* - An entity that is permitted to generate Distributed Generation and Community Solar Disclosure Forms on behalf of an Approved Vendor. Only Designees registered as Disclosure Form Designees can create and generate Disclosure Forms on behalf of an Approved Vendor;
 - *Community Solar Subscriber Designee* - An entity that is permitted to manage the community solar subscription information for an Approved Vendor's community solar projects. Community Solar Subscriber Designees can only enter subscribers for Disclosure Forms that they have created, therefore a Community Solar Subscriber Designee must also be registered with the Program as a Disclosure Form Designee;
 - *Marketing or Sales Designee* - An entity that is designated to act as a marketing agent and/or customer acquisition agent on behalf of an Approved Vendor or Designee. This includes, among others, entities that engage in solicitations through any channel (in-

⁷ Small Distributed Generation is projects under 10 kW AC in size. These are typically residential systems. Large Distributed Generation is projects from 10 kW to 2,000 kW AC in size.

⁸ During calendar year 2020, the Program Administrator received only one complaint relating to a Community Solar System.

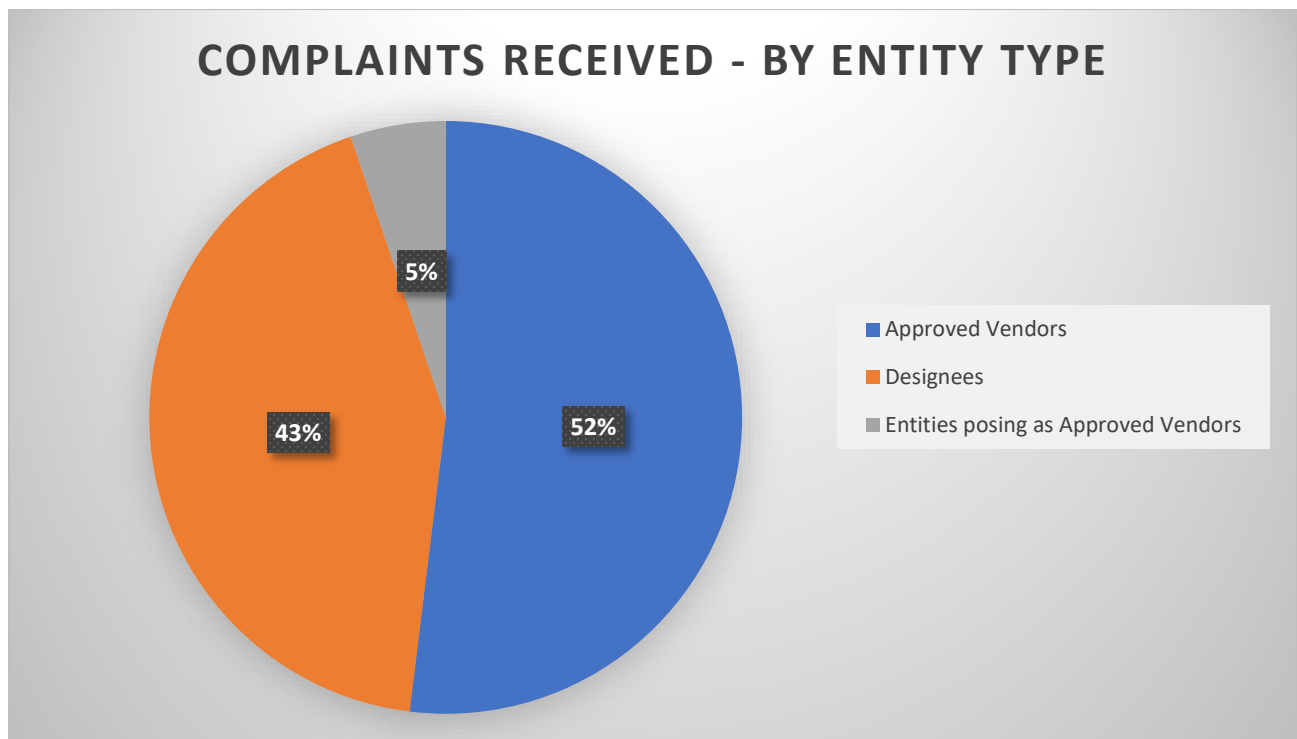
⁹ Section 6.9.1 of the Revised Long-Term Plan published by the IPA on April 20, 2020, describes a new requirement for Approved Vendor Designees (i.e., third-party entities working with Approved Vendors that have direct interaction with end-use customers) to register and be listed on the ABP and Illinois Shines websites along with identifying the Approved Vendors with which they are working. The Designee distinctions listed here were implemented by the Program in December 2020, thus throughout this section of the report complaints are not further broken down by type of Designee.

person, telephone, etc.), as well as entities that perform online lead generation services;

- *Installer Designee* - An entity that has been designated to install systems on behalf of an Approved Vendor or Designee.

The following is a breakdown of the 77 complaints received in 2020 based on the Program participant:

- Complaints against Approved Vendors: 40
- Complaints against Designees: 33
- Complaints against entities posing as Approved Vendors: 4



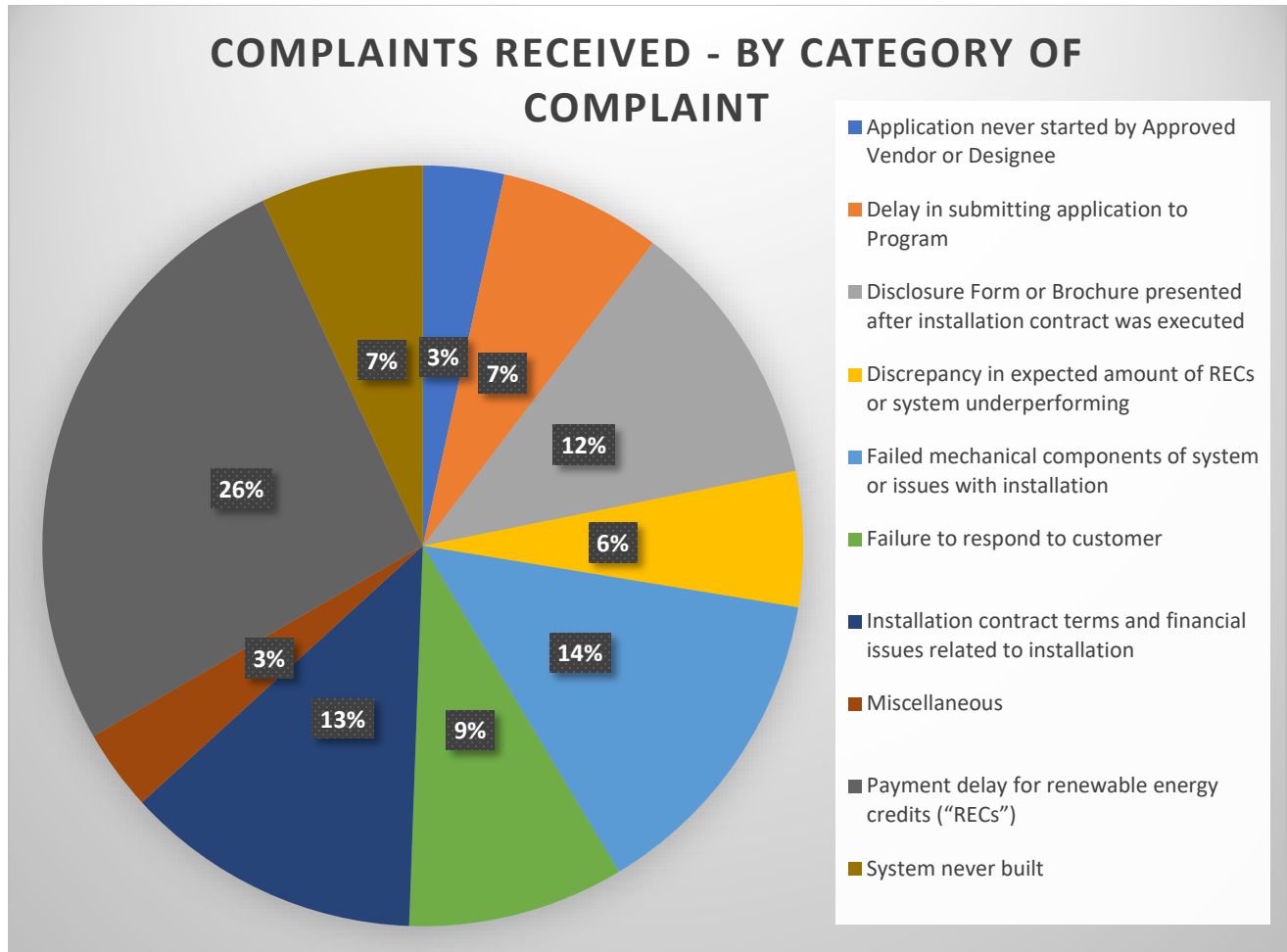
b. Complaints Received – By Category of Complaint

The subject matter of the complaints is summarized in the table below. Some complaints are applicable to more than one of the designated categories, while some complaints that were filed contained multiple complaint items. For example, several complaints regarding payment delays against an Approved Vendor were filed because the complainant had already tried contacting their Approved Vendor to inquire about their payment status, however the Approved Vendor had not been responsive to the complainant’s communications. Customers in these situations frequently contacted the Program Administrator for assistance with determining when they would receive payment. Such complaints are categorized under

both the “Payment Delay” category *and* the “Failure to Respond to Customer” category.¹⁰ As a result, the total number of complaints in the table below is greater than the total number of complaints received by the Program in calendar year 2020. Complaints that do not fit into a clear complaint category are filed under the “Miscellaneous” category.

Complaint Type	Number of Complaints
Payment delay for renewable energy credits (“RECs”)	23
Failed mechanical components of system or issues with installation	12
Installation contract terms and financial issues related to installation	11
Disclosure Form or Brochure presented after installation contract was executed	10
Failure to respond to customer	8
Delay in submitting application to Program	6
System never built	6
Discrepancy in expected amount of RECs or system underperforming	5
Application never started by Approved Vendor or Designee	3
Miscellaneous	3

¹⁰ In other cases, a complaint against a customer’s Approved Vendor or Designee regarding a delay with the customer’s application submission can also give rise to complaints from that same customer regarding their system’s failed mechanical components that caused the delay of the customer’s application. Such complaints may be categorized under both the “Delay in submitting application to Program” category and the “Failed mechanical components of system or issues with installation” category.



c. Complaints Received - By Entity

A list of the Approved Vendors, Designees, and other entities that Program participants filed complaints against can be found below, along with the number of complaints filed against them in both 2020 and the previous year for reference.

Approved Vendor/Designee/Entity Name	Type of Program Entity	Number of Complaints Received by Program in 2020	Number of Complaints Received by Program in 2019
WCP Solar Services, LLC	Approved Vendor	11	1
Standard Eco, LLC	Approved Vendor, Designee	8	1
Carbon Solutions SREC, LLC	Approved Vendor, Designee	6	2
Novel Energy Solutions, LLC	Approved Vendor	6	0
Sunrun Installation Services, Inc.	Approved Vendor, Designee	5	4

Palmetto Solar, LLC	Designee	4	2
Sun Badger Solar, LLC	Approved Vendor, Designee	3	0
Eagle Point Solar, LLC	Approved Vendor, Designee	3	0
SunAir Systems, LLC	Approved Vendor, Designee	2	0
Vivint Solar Developer, LLC	Approved Vendor, Designee	2	1
Eco-Solar Solutions, LLC	Approved Vendor	2	0
Ailey Solar Electric, LLC	Designee	1	1
IL-Solar, Inc.	Approved Vendor	1	1
Verde Solutions LLC	Approved Vendor, Designee	1	0
D&D Electric of Central Illinois, LLC	Designee	1	0
Tesla, Inc	Approved Vendor	1	0
Moxie Solar, Inc.	Approved Vendor, Designee	1	0
Power Home Solar, LLC	Approved Vendor, Designee	1	0
Eco Management Systems Limited	Designee	1	0
Tron Solar, LLC	Approved Vendor, Designee	1	0
Windfree, Wind and Solar Energy Design Company	Approved Vendor, Designee	1	0
Certasun, LLC	Approved Vendor, Designee	1	0
Green Solar Technologies Illinois, Inc.	Designee	1	0
Solar Energy Solutions of Illinois, Inc.	Not a Program Entity	1	0
SolarUp, LLC	Designee	1	0
Total Solar Solutions, LLC	Not a Program Entity	1	1
Phenomenal Power, LLC	Not a Program Entity	1	0
GRNE Solutions, LLC	Approved Vendor	1	0
JD Pro Solar, LLC	Not a Program Entity	1	0
Solar Ready Solutions, LLC	Designee	1	0
SunPower Capital Services, LLC	Approved Vendor, Designee	1	0
Smart Money Solar, LLC	Designee	1	0
SRECTrade, Inc.	Approved Vendor, Designee	1	0

Windsolleil Inc.	Approved Vendor, Designee	1	0
Enertech Global, LLC	Approved Vendor, Designee	1	0
Empire Solar Group, LLC	Approved Vendor, Designee	1	1
Brio Energy	Not a Program Entity	0	1
Excel Home Solar	Designee	0	1
Harvest Solar, LLC	Approved Vendor	0	1
Iconic Energy	Designee	0	4
Legacy Solar, LLC	Approved Vendor	0	1
Offset Solar, LLC	Not a Program Entity	0	4
Rethink Electric, LLC	Designee	0	1

d. Complaints Received – By Complaint Status

Currently, the Program Administrator has three status categories for the various complaints received by the Program. These status categories are defined as:

- **Under Investigation** – This status defines a complaint that is actively being investigated by the Program Administrator.
- **Resolved** – This status defines a complaint that either was resolved to the customer’s satisfaction with the Program Administrator’s assistance or the complaint was resolved by the Program Administrator in a manner that met the customer’s needs.
- **Closed/Outside Program Scope:**
 - **Closed** - This status defines a complaint that was closed for a number of reasons, including cases in which the customer stopped communicating with the Program Administrator, or the customer requested the Program Administrator cease investigating their complaint and/or asked the Program Administrator to close their complaint.
 - **Outside Program Scope** - This status defines a complaint that was determined to be outside the scope of the Adjustable Block Program based on the Program Administrator’s investigation. Complaints outside the scope of the Program may include cases where the complaint or issue does not violate Program rules and requirements and/or the complaint does not involve a Program participant (the entity, which is the subject of the complaint, is not an Approved Vendor, Designee, or a subcontractor of one of these two types of entities).¹¹

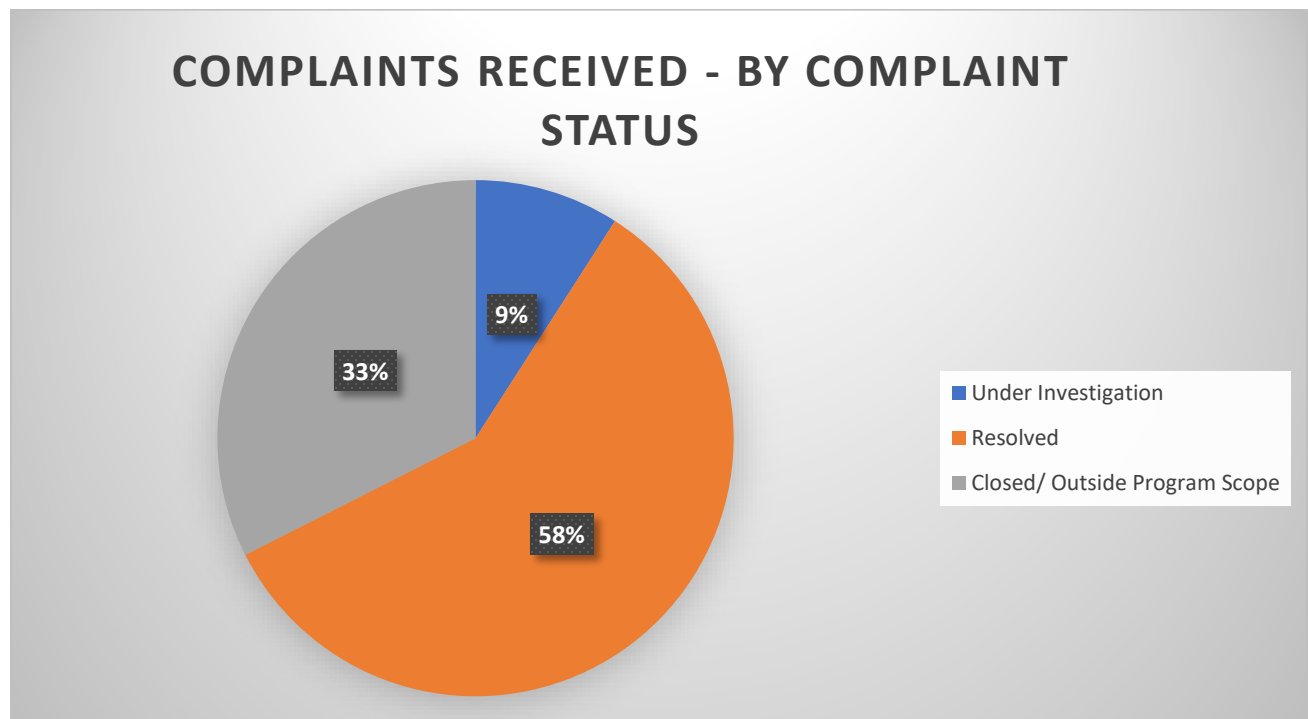
To mark a complaint as either Resolved, Closed or Outside the Program Scope, a full investigation of the complaint takes place including working with the customer to receive any relevant documents and information, as the Program Administrator strives to resolve each complaint. As a result, complaints are

¹¹ When a complaint is marked as outside Program scope, the Program Administrator seeks to assist the customer in any way it can within the confines and scope of the Program. The Program Administrator also provides the customer with instructions on how to submit a complaint to the Illinois Commerce Commission and the Office of the Attorney General, if the complainant wishes to work with these entities to pursue the claims in their complaint.

marked as either Resolved, Closed or Outside Program Scope only if the complaint’s investigation has reached the end of the cycle – meaning, a complaint is marked as Resolved if the Program Administrator successfully facilitated an agreeable outcome for both parties (even if outside the scope of the Program). A complaint is marked as closed for cases where a complainant ceased responding to the Program Administrator, after several attempts to contact the complainant. A complaint is marked as Outside Program Scope, if the Program Administrator determines that the customer’s complaint does not fall within the Program’s jurisdiction. A complaint remains in the “Under Investigation” status while the complaint investigation continues, until it can either be fully resolved, the Program Administrator determines that it is outside of the scope of the Program or the Program Administrator is unable to reach a resolution between the parties.

The following is the status of the total complaints received by the Program Administrator from January 1, 2020 to December 31, 2020, as of the release of this Report on February 9, 2021:

Complaint Status	Number of Complaints
Under Investigation	6
Resolved	45
Closed/Outside Program Scope	26



5. Consumer Complaint Data Analysis

During calendar year 2019, the Program Administrator received 28 complaints. While this number increased to 77 complaints in 2020, the Program Administrator received many more program applications

in 2020 compared to the total number of applications received between 2018-2019. In addition, consumer complaints submitted during 2020 may have been connected to an application submitted during 2019. It is reasonable to assume that an increase in total number of applications submitted to the Program would in turn result in an increase in complaints the Program received.

In 2019, the Program Administrator established the Consumer Complaints Center on both the Illinois Shines and Illinois ABP websites, alongside a dedicated phone number and email address, creating a more user-friendly experience for customers to navigate the Program websites and file a complaint. Furthermore, in March of 2020, an Illinois Solar Consumer Protection Working Group was established to increase information sharing between Illinois consumer protection organizations and relevant state agencies. This Working Group has allowed information regarding complaints to be more easily shared between Working Group participants.

While the number of consumer complaints received in 2020 were small compared to the number of project applications received by the Program, several patterns were identified among the complaints received:

- There were 23 complaints that involved delays in REC delivery payments being submitted to customers;
- There were 8 complaints that involved the failure of a Program participant, such as an Approved Vendor, Designee, or Installer, to respond to their customers after being contacted by the customer;
- There were 19 complaints made against entities that were subsequently suspended by the Program Administrator from participating in the Adjustable Block Program, based on information discovered during the investigation of the consumer complaint;¹²
- There were 6 complaints made against entities that did not violate Program requirements, but the Program Administrator determined that these entities were not acting in a manner that supported the best interest of customers.¹³

It is important to note that REC payment delay complaints are not necessarily indicative of non-compliant behavior on the part of an Adjustable Block Program Approved Vendor or Designee. While the Program Administrator has published timelines¹⁴ on both the Adjustable Block Program website and the Illinois Shines website to explain the various Program steps and expected REC payment delivery timeline, customers have a right to inquire into the status of their Application and when any REC payments will be distributed to them.

During the investigation of the 23 REC payment delivery delay complaints received in 2020, the Program Administrator determined that many of the REC payment delay complaints received to date were valid. In many of these instances, the customer's application was not progressing in a timely manner due to instances of delay in Designees providing information to Approved Vendors in a timely manner, delays in providing the Program Administrator with information required to proceed with a timely review of an application, or delays in system installation resulting in delayed application submittal, for example.

¹² See Section 7 of this report titled "Disciplinary Actions Report Summaries."

¹³ These entities received a warning letter from the Program Administrator regarding their behavior.

¹⁴ See <http://illinoisabp.com/2020/01/21/adjustable-block-program-timelines/>

However, since Adjustable Block Program Applications take several months to progress through the Program, given the various documents and different entities involved, some consumers were dissatisfied with the length of time that it took to receive their REC delivery payment from their Approved Vendor.

6. Complaint Examples by Category of Complaint

i. Application never started by Approved Vendor or Designee

Complaint date: November 2020
Complainant Type: Homeowner
Type of ABP Entity: Designee
Complaint Summary: The homeowner claimed that the Designee promised Block 4 pricing for their project. However, the homeowner's Designee failed to submit the application in a timely manner and thus the homeowner's application was placed on the relevant Program waitlist as Block 4 capacity had run out.
ABP Entity Response: The Designee agreed to pay the homeowner the difference in pricing between what the homeowner was promised versus how much the homeowner will get once the application comes off the waitlist or reimburse the homeowner if the application does not come off the waitlist. The customer has apparently agreed to this offer from the Designee.
Program Administrator Response: The Program Administrator spoke with the customer and the Designee and encouraged the parties come to an agreement and ultimately a resolution.

Complaint date: July 2020
Complainant Type: Homeowner
Type of ABP Entity: Not applicable; the entity that the homeowner worked with was not an ABP Approved Vendor or Designee.
Complaint Summary: In Spring 2020 the homeowner had a solar system installed on their home. The homeowner has no installation contract or other paperwork available relating to the installation other than paperwork from the lender who financed the project installation. The homeowner was told that they would not be billed by their utility company. The homeowner never received any Adjustable Block Program paperwork, neither the Disclosure Form nor the DG Informational Brochure, and an application was never started for this project in the Program. The system was installed, but an inspection was never completed, so the system has not yet been powered on.
ABP Entity Response: The homeowner primarily interacted with a solar marketing firm that is not associated with the Adjustable Block Program. The installation was performed by a Designee of an ABP Approved Vendor, but not on behalf of this or any Approved Vendor participating in the Program. The various entities involved in this complaint have come together to work on a path forward for this homeowner and others to ensure that Program requirements are followed, and an application is submitted to the Program.
Program Administrator Response: The Program Administrator worked to establish a connection between the several entities involved and research what the complainant was told by the entity they interfaced with regarding the Program. This homeowner was referred to the Illinois Office of the Attorney General to pursue their claim of fraudulent marketing and deceptive practices while the Program Administrator continues to work with the various entities involved to reach a resolution where this homeowner is able to submit an application to the Program and secure a spot on the appropriate Program waitlist. These entities were previously unwilling to work with one another toward a resolution, but as a consequence of brokering by the Program Administrator, this homeowner and the various entities involved have agreed to work together to submit this application into the Program.

ii. Installation contract terms and financial issues related to installation

Complaint date: January 2020
Complainant Type: Homeowner
Type of ABP Entity: Approved Vendor
Complaint Summary: The homeowner was unhappy with the length and terms of the contract provided by the Approved Vendor. The homeowner had a variety of questions about the terms found within the contract.
ABP Entity Response: The Approved Vendor worked with the homeowner to answer each question the homeowner had regarding the contract. The Approved Vendor agreed to alter various terms of the contract when appropriate to reach a resolution with the homeowner.
Program Administrator Response: The Program Administrator connected the homeowner to a point of contact in the Approved Vendor's office, so that the two entities could correspond directly about the contract terms and reach a resolution. The Program Administrator followed up on the complaint and determined that both parties worked amicably toward an agreement once the contract terms were modified to the satisfaction of the homeowner.

Complaint date: January 2020
Complainant Type: Project Owner
Type of ABP Entity: Approved Vendor
Complaint Summary: The project owner has two systems, both installed in Spring 2019 on their farm. The project owner requested that the Approved Vendor sign up for the Program as quickly as possible to ensure that their projects would be in the best block pricing available. The project owner told the Approved Vendor that they would discuss the REC payment contract terms at a later date. The project owner did not receive proposed REC payment terms until December 2019 and did not think that these terms were favorable. The project owner asked the Approved Vendor to change the terms of the contract, and the Approved Vendor did not wish to do so. The project owner then asked the Approved Vendor to be released from their contract, but contract containing the systems was already ICC approved.
ABP Entity Response: Initially, the Approved Vendor did not wish to release the project owner from the contract. However, after encouragement from the Program Administrator, the Approved Vendor was willing to work with the project owner and assist in the assignment process for the two projects.
Program Administrator Response: The Program Administrator encouraged the Approved Vendor to release the project owner from the contract and work through the project assignment process. The Program Administrator worked with both the project owner and the Approved Vendor to answer questions about the project assignment process and assist the parties in moving forward amicably after the decision to release the project owner from the contract was made.

iii. Delay in submitting application to Program

Complaint date: November 2020
Complainant Type: Homeowner
Type of ABP Entity: Designee
Complaint Summary: The homeowner stated that their application was taking an unreasonably long time to move through the Program. After filing this complaint, the homeowner was alerted by the Program Administrator that the application for their system was not yet submitted, nearly 13 months after the homeowner had signed a Disclosure Form.
ABP Entity Response: The same day that the homeowner filed their complaint, the Designee submitted the necessary information to its Approved Vendor, who then immediately submitted the homeowner's Part I application after learning of the complaint.
Program Administrator Response: The Program Administrator contacted the Approved Vendor and the Designee to inquire as to the status of the homeowner's Application. After learning that this instance of the delayed submission of the application was due to a breakdown in process between the Designee and the Approved Vendor, the Program Administrator worked with the Approved Vendor to ensure the application was submitted and that the homeowner received the Program timeline document, so that the homeowner had a clear expectation of the amount of time it would take for the application to progress through the Program after the delay in submission.

Complaint date: April 2020
Complainant Type: Homeowner
Type of ABP Entity: Designee
Complaint Summary: The homeowner signed a Disclosure Form in June 2019 and was told by their Designee that their application was submitted in October of 2019. After this complaint was made, the Program Administrator found that the homeowner's original Disclosure Form was not submitted to the Program in order to start an application. The homeowner received a new Disclosure Form in April 2020.
ABP Entity Response: The Approved Vendor contacted their Designee and learned that the Designee did not realize that the Disclosure Form needed to be uploaded to the Program portal in order to be considered executed. Ultimately, the Designee forgot about the application and was not aware that an application is not started until an executed Disclosure Form is uploaded to the Program portal. Even though the homeowner signed their Disclosure Form, the Approved Vendor was unaware that the Designee intended to submit an application for this homeowner due to the lack of submission of an executed Disclosure Form on the homeowner's behalf.
Program Administrator Response: The Program Administrator alerted the Approved Vendor to the fact that the homeowner's application had not yet been started by the Designee, as the original Disclosure Form had not yet been submitted. With the Program Administrator's guidance, a new Disclosure Form was executed, and the homeowner's application was Part I verified by the Program Administrator in July 2020, then was ICC approved in August 2020, and Part II verified in October 2020

iv. Disclosure Form presented after installation contract was executed

Complaint date: January 2020
Complainant Type: Homeowner
Type of ABP Entity: Designee
Complaint Summary: The homeowner did not receive a Disclosure Form until after they signed an installation contract. Additionally, the homeowner claimed that the installation contract was wordy and full of legal terminology.
ABP Entity Response: The Approved Vendor reached out to the Designee to ensure that the Illinois Shines marketing guidelines were being followed. Additionally, the Approved Vendor conducted a marketing training refresher with the Designee's sales team to discuss the ABP rules and requirements.
Program Administrator Response: The Program Administrator advised the Designee's Approved Vendor of the issue. The Approved Vendor presented the Program Administrator with a plan to ensure that all customers receive a Disclosure Form at the appropriate time according to Program requirements. The Approved Vendor also conducted a re-training with this Designee. The Program Administrator informed the homeowner that they would be able to select a different Approved Vendor if they did not like the contract terms.

Complaint date: April 2020
Complainant Type: Homeowner
Type of ABP Entity: Designee
Complaint Summary: The homeowner did not receive the Disclosure Form and Illinois Shines Informational Brochure until months after their system was installed. After contacting their Designee several times in order to understand the Program after receiving these materials, the homeowner was unable to reach anyone from the Designee and reached out to the Program Administrator for assistance.
ABP Entity Response: After being notified of these issues, the Approved Vendor assisted the homeowner in understanding the Program and the information still needed in order to submit their application. After the Approved Vendor stepped in, the homeowner's application was Part I Verified in November 2020.
Program Administrator Response: The Program Administrator alerted the Approved Vendor to the issues involved in the complaint when it was clear that the Designee was not working to support the homeowner and resolve this complaint. The Program Administrator monitored the complaint to confirm it was resolved and the homeowner's application was submitted to the Program.
Other Information: The Designee received a four-month suspension from participating in the Illinois Adjustable Block Program for not acting in compliance with these and other Program requirements.

v. Failed mechanical components of system or issues with installation (i.e., property damage)

Complaint date: January 2020
Complainant Type: Homeowner
Type of ABP Entity: Approved Vendor
Complaint Summary: The homeowner had a solar system installed in 2017, and the system was approved in the Adjustable Block Program in Q2 2019. The homeowner received his first REC payment, but since then the system had stopped functioning properly. Apparently, underground lines were damaged. Company representatives from the Approved Vendor blame a faulty inverter for the problems related to the system's functioning rather than the underground lines.
ABP Entity Response: The Approved Vendor fixed one damaged line immediately, and the system was only down for a few days. A third-party entity then came on site, ordered a new inverter, and unhooked the monitoring system, so the Approved Vendor lost error notification reports. The Approved Vendor sent a technician to the home after learning that there was an issue. The homeowner's system was repaired and functioning properly.
Program Administrator Response: The Program Administrator alerted the Approved Vendor to the issue with the homeowner's system. The Program Administrator was told that the Approved Vendor was unaware of the issue, but that the Approved Vendor would address the system the next day and send a technician to the home. The Program Administrator later confirmed that the system was repaired for the homeowner.

Complaint date: February 2020
Complainant Type: Homeowner
Type of ABP Entity: Designee
Complaint Summary: During installation, the homeowner's property was damaged by the installation team. The installers dug a trench in the homeowner's yard and did not fill it in after the installation was complete. The installer also did not add insulation to the attic post-installation, as was promised to the homeowner. Additionally, the homeowner did not receive a Disclosure Form at the time of installation and the installer apparently did not know how to apply the homeowner's system to the Program.
ABP Entity Response: The Designee worked with the homeowner to ensure that all property damage resulting from the installation was fixed and the insulation in the roof was added. The Approved Vendor reiterated to all their Designees, including the Designee involved in this complaint, that Disclosure Forms must be completed by their homeowners prior to the execution of installation contracts per Program requirements.
Program Administrator Response: The Program Administrator followed up with the Approved Vendor to ensure that all Program requirements were being followed by the Approved Vendor's Designee. The Program Administrator requested information regarding how the Designee handled their internal resolution of this complaint. The Approved Vendor provided the Program Administrator with updated training material that was distributed to the Designee after this complaint was made. Ultimately, the homeowner became unresponsive and did not pursue the complaint further after the actions outlined above were taken.

vi. Failure to respond to homeowner

Complaint date: March 2020
Complainant Type: Homeowner
Type of ABP Entity: Approved Vendor
Complaint Summary: The homeowner stated that they have been unable to contact anybody at the company that performed their project installation to assist them with updates on their Program application.
ABP Entity Response: After being alerted to this complaint by the Program Administrator and notified that responsiveness to homeowners is a Program expectation, the Approved Vendor worked with the homeowner to submit their application to the Program. The Part I application for their system was submitted on May 15, 2020.
Program Administrator Response: The Program Administrator forwarded the homeowner's complaint to the Approved Vendor and informed the Approved Vendor that responsiveness to homeowners is an expectation of Approved Vendors that are in good standing with the Program. The Program Administrator followed this complaint until it was resolved and verified that the homeowner's application was indeed submitted.

Complaint date: November 2020
Complainant Type: Homeowner
Type of ABP Entity: Approved Vendor
Complaint Summary: The homeowner stated they were unable to contact their Approved Vendor in order to discuss the status of their application. The homeowner thought their application would be submitted much earlier than what is outlined in the ABP Program timeline document that was shared with them.
ABP Entity Response: After being alerted to this complaint by the Program Administrator, the Approved Vendor noted that there was an internal error that impacted the submission of the homeowner's application in a timely manner. The Approved Vendor contacted the homeowner and sent them a payment summary. The Approved Vendor submitted this homeowner's application the day the homeowner filed this complaint and issued payment in November 2020.
Program Administrator Response: The Program Administrator alerted the Approved Vendor to the issues involved in the complaint and followed through to ensure that the homeowner's application was submitted and that they were paid by their Approved Vendor.

vii. Payment delay for RECs

Complaint date: May 2020
Complainant Type: Homeowner
Type of ABP Entity: Designee
Complaint Summary: The homeowner experienced a payment delay of over a year, from the time the homeowner's system was installed.
ABP Entity Response: The Approved Vendor initially told the Designee working with this homeowner that the process from Program application to payment would take between 3-4 months. The Designee then communicated this timeline to the homeowner. After this complaint was filed and the Program Administrator contacted the Approved Vendor to investigate, the Designee provided the homeowner with an accurate timeline of the process and when they could expect their payment. The Approved Vendor disbursed payment to the homeowner in October 2020.
Program Administrator Response: The Program Administrator worked with the Approved Vendor to confirm what the homeowner understood the Program timeline from application to payment. The Program Administrator worked with the Approved Vendor to confirm that the homeowner received payment in October 2020.

Complaint date: April 2020
Complainant Type: Homeowner
Type of ABP Entity: Designee
Complaint Summary: The homeowner's Disclosure Form was generated in October 2019, but their system was installed several months prior in January of 2019. The homeowner's application and thus payment was delayed because the Approved Vendor submitting the application did not receive the necessary paperwork from the Designee in a timely manner. The homeowner's Part I application was thus not submitted until April 2020 causing over a year delay in payment.
ABP Entity Response: The Designee had provided an inaccurate timeline of the Program timeline to the homeowner. Additionally, there were delays with the Designee providing necessary information for application to the Approved Vendor, making it unfeasible for the Approved Vendor to submit an application on behalf of the homeowner. After working to get the proper documents and information, the application was Part I submitted in March 2020 and Part I verified in April 2020.
Program Administrator Response: The Program Administrator alerted the Approved Vendor to the issues involved in the complaint and the communication issues between the homeowner, Designee, and Approved Vendor. and the Program Administrator also monitored the application to confirm it was submitted in a timely manner after this complaint was received.

viii. System never built

Complaint date: December 2020
Complainant Type: Homeowner
Type of ABP Entity: Approved Vendor
Complaint Summary: The homeowner communicated that they wanted a system installed on their roof. However, their Approved Vendor was unable to complete the install because the property is considered historic pursuant to local ordinances. Due to the historic distinction of the property, the Approved Vendor could not secure the appropriate permits to allow for rooftop solar installation.
ABP Entity Response: The Approved Vendor stated that they planned to work with the homeowner in order to install solar, if possible. Once the Approved Vendor learned they could not secure the appropriate permits due to the property's historical status, the Approved Vendor was unable to move the installation forward.
Program Administrator Response: The Program Administrator recommended that the homeowner contact local officials in their county permitting office for more information and to understand if there was any way to install solar on a building with this type of distinction.

Complaint date: April 2020
Complainant Type: Homeowner
Type of ABP Entity: Approved Vendor
Complaint Summary: The homeowner signed a contract for a system and their Disclosure Form had an estimated installation date of September 2019. In November 2019, the homeowner requested their system be withdrawn and a refund to be issued. The homeowner was interested in hiring a different company to build a different system on their property and no longer wanted to work with the original Approved Vendor. Since the homeowner's system was already under contract with the ICC, the Approved Vendor informed the homeowner that they were unable to pursue other opportunities to install solar on their property due to contractual obligations.
ABP Entity Response: The Approved Vendor ultimately removed the homeowner's project from its REC contract and thus allowed the homeowner to pursue a solar project with a different Approved Vendor.
Program Administrator Response: The Program Administrator worked with the Approved Vendor and encouraged the Approved Vendor to remove the project from its REC contract so that the homeowner could pursue a different project with an Approved Vendor of their choice.

ix. System underperforming and/or discrepancy in the expected amount of RECs delivered

Complaint date: December 2020
Complainant Type: Homeowner
Type of ABP Entity: Designee
Complaint Summary: The homeowner stated that their inverter failed and caused them to lose a month of production in August of 2020. The homeowner was told by their Designee that system monitoring was included in their agreement but is now being told that it would cost \$275 to install a monitoring device. The homeowner was also upset about where the system was installed on the property. The homeowner stated that the system should have been installed facing south, not facing west. The homeowner also stated that the system is underperforming due to system's location on their property and system size.
ABP Entity Response: The Approved Vendor claimed that this is a contract dispute, not an underperformance issue but did acknowledge issues with system performance in August 2020. The Approved Vendor worked with the Program Administrator and the Designee in order to provide a shading study to determine the system's location on the homeowner's property. Additionally, the Designee agreed to compensate the homeowner for the production lost from underperformance in August of 2020.
Program Administrator Response: The Program Administrator contacted the Approved Vendor and Designee about the issues involved in this complaint and requested relevant information regarding the production promised to the homeowner and the placement of the system on the homeowner's property. After reviewing a shading study for the system, the Program Administrator came to the conclusion that the project was not placed in an improper location on the homeowner's property and communicated this to the homeowner. The Program Administrator also followed up with the Designee to ensure that the homeowner would be compensated for production loss in August 2020. This payment to the homeowner is still pending.

Complaint date: August 2020
Complainant Type: Homeowner
Type of ABP Entity: Designee
Complaint Summary: The Designee mistakenly installed a system with a 7.4kW inverter rather than a 10kW inverter, unbeknownst to the homeowner. The 10kW inverter size was what was originally quoted to the homeowner on the Disclosure Form. This change in inverter size at the time of installation impacted the amount of energy production for the system and thus the expected amount from REC delivery payments.
ABP Entity Response: The Approved Vendor, Designee, and the homeowner reached an agreement, and the homeowner requested the complaint be closed following resolution. The homeowner was paid \$2,000 as compensation for the property damage, delay in enrollment in net metering, and difference in actual payment compared to expected payment due to the change in inverter size.
Program Administrator Response: The Program Administrator flagged this complaint for the Approved Vendor and worked with both the Approved Vendor and Designee to investigate the complaint. The Program Administrator provided information to the homeowner's Approved Vendor to assist in reaching a resolution to the complaint. The Program Administrator worked to follow up with the involved parties until the agreement was met and a resolution to the complaint was reached.

x. Miscellaneous

Complaint date: September 2020
Complainant Type: Homeowner
Type of ABP Entity: Designee
Complaint Summary: The installer allegedly damaged the homeowner's property while installing the system. Additionally, the homeowner paid for the system out of pocket even though they were told by the installer that they could obtain financing to fund the project installation without having to pay out of pocket for the project. Finally, the Designee had not submitted the system to the Adjustable Block Program at the time the complaint was made to the Program Administrator.
ABP Entity Response: Prior to receiving this complaint, the Designee received a four-month suspension from participating in the Program for other instances of non-compliance with Program requirements. The Approved Vendor affiliated with the suspended Designee worked to submit an application for the homeowner's system to the Program at the Program Administrator's request. The Approved Vendor agreed to take over the homeowner's application from the Designee, and the homeowner's application then was Part I verified.
Program Administrator Response: The Program Administrator flagged this complaint and the various issues it entailed to the Designee's Approved Vendor. The Program Administrator requested that the Approved Vendor assisted the homeowner to submit an application for the project to the Program, working around the Designee's suspension in order to ensure the homeowner's application was submitted swiftly and properly.

Complaint date: January 2020
Complainant Type: Homeowner
Type of ABP Entity: Designee
Complaint Summary: The homeowner stated that they did not receive copies of signed contract documents from their Designee until after they had repeatedly requested the documents. After the first financing option fell through for the homeowner, the Designee enrolled them in a second financing option without the homeowner's knowledge.
ABP Entity Response: The Approved Vendor confirmed with their Designee that the contract paperwork was sent at the time of signature via an automatic software. The contract that the homeowner signed included language that stated that the Designee could use one of two lenders, and the homeowner had completed paperwork for both companies. It was explained to the homeowner that the company that the Designee ended up using provided a lower interest rate and loan payment. After the homeowner learned this, the homeowner decided to go with the lender the Designee selected. The Designee also terminated the sales representative who worked for the Designee and was involved in the initial interactions with this homeowner that caused this confusion.
Program Administrator Response: The Program Administrator alerted the Approved Vendor to this complaint and asked for more information about this complaint filed against their Designee. The Program Administrator continued to follow up until the complaint was resolved. The Program Administrator confirmed that the homeowner was satisfied with the outcome and agreement reached with the Designee after a resolution was met.

7. Disciplinary Actions Report Summaries

The Program Administrator has taken seven disciplinary actions against seven participating entities from January 1, 2020 through December 31, 2020. Following the receipt of consumer complaints, two thorough investigations into the actions of Program participants confirmed the entities subject to the investigation were not in compliance with Program requirements and disciplinary action was taken by the Program

Administrator. The other five disciplinary actions were a result of violations of the Illinois Adjustable Block Program's emergency updates to the Program's marketing guidelines because of the ongoing COVID-19 pandemic.

Below is a summary of the seven disciplinary actions taken by the Program Administrator from January 1, 2020 to December 31, 2020, along with information regarding any appeal decisions made by the IPA¹⁵:

ABP Entity Name: Sunder Energy

Type of ABP Entity: Designee & Third-party sales company

Reason for Suspension: Sunder Energy performed door-to-door marketing and violated the emergency amendment to the ABP Marketing Guidelines prohibiting such solicitations during the ongoing COVID-19 pandemic.

Suspension Details			
Issue Date	Start Date	End Date	Length
07/07/2020	07/07/2020	01/07/2021	6 months
Appeal Details			
Submitted	Receipt Date	Status	Determination Date
Yes	07/08/2020	Denied	07/31/2020

ABP Entity Name: Freedom Forever

Type of ABP Entity: Approved Vendor & Designee

Reason for Suspension: A third-party sales company, contracted to perform sales on behalf of Freedom Forever, performed door-to-door marketing and violated the emergency amendment to the ABP Marketing Guidelines prohibiting such solicitations during the ongoing COVID-19 pandemic.

Suspension Details			
Issue Date	Start Date	End Date	Length
07/07/2020	07/07/2020	10/07/2020	3 months
Appeal Details			
Submitted	Receipt Date	Status	Determination Date
Yes	07/08/2020	Denied with exception	07/31/2020

Appeal Notes: Freedom Forever's suspension as an Approved Vendor and Designee was upheld; however, Freedom Forever's installation team was permitted to continue with the installation of systems.

¹⁵ This information is up-to-date as of the publication of this report, but as this information changes periodically, the most up-to-date disciplinary action information can be found here: <https://illinoisabp.com/disciplinary-actions-report/>

ABP Entity Name: Standard Eco

Type of ABP Entity: Designee

Reason for Suspension: Violated Section 2.D(4)(a) of the ABP Guidelines for Distributed Generation Marketing Materials and Marketing Behavior, dated September 16, 2020, by not providing customers with a Disclosure Form until several months after completing system installation.

Suspension Details			
Issue Date	Start Date	End Date	Length
07/07/2020	07/07/2020	11/07/2020	4 months
Appeal Details			
Submitted	Receipt Date	Status	Determination Date
Yes	07/21/2020	Denied	08/28/2020

ABP Entity Name: United American Marketing

Type of ABP Entity: Designee

Reason for Suspension: United American Marketing performed door-to-door marketing and violated the emergency amendment to the ABP Marketing Guidelines prohibiting such solicitations during the ongoing COVID-19 pandemic.

Suspension Details			
Issue Date	Start Date	End Date	Length
10/15/2020	10/15/2020	4/15/2021	6 months
Appeal Details			
Submitted	Receipt Date	Status	Determination Date
Yes	10/29/2020	Denied	11/19/2020

ABP Entity Name: Bright Planet Solar

Type of ABP Entity: Designee

Reason for Suspension: Bright Planet Solar worked with a third-party sales company to perform sales and engaged in door-to-door marketing, in violation of the emergency amendment to the ABP Marketing Guidelines prohibiting such solicitations during the ongoing COVID-19 pandemic.

Suspension Details			
Issue Date	Start Date	End Date	Length
11/13/2020	11/13/2020	2/13/2021	3 months
Appeal Details			
Submitted	Receipt Date	Status	Determination Date
Yes	11/18/2020	Denied	12/17/2020

ABP Entity Name: C&D Marketing

Type of ABP Entity: Third-party marketing firm

Reason for Suspension: Third-party marketing company C&D Marketing performed door-to-door marketing, on behalf of Bright Plant Solar, in violation of the emergency amendment to the ABP Marketing Guidelines prohibiting such solicitations during the ongoing COVID-19 pandemic.

Suspension Details			
Issue Date	Start Date	End Date	Length
11/13/2020	11/13/2020	5/13/2021	6 months
Appeal Details			
Submitted	Receipt Date	Status	Determination Date
No	N/A	N/A	N/A

ABP Entity Name: WCP Solar

Type of ABP Entity: Approved Vendor

Reason for Suspension: WCP Solar has repeatedly failed to communicate with the Program Administrator, failed to respond to WCP's customers' inquiries, and failed to disclose fees charged by WCP Solar on a customer's ABP Disclosure Form as required by the Program.

Suspension Details			
Issue Date	Start Date	End Date	Length
11/13/2020	11/13/2020	2/13/2021, then extended to 5/13/2021	3 months, plus an additional 3 month extension
Appeal Details			
Submitted	Receipt Date	Status	Determination Date
No	N/A	N/A	N/A

Appeal Notes: WCP Solar did not appeal their suspension. On February 9, 2021 WCP Solar's original suspension was extended for an additional three months due to repeated delays and failures in remitting promised payments to customers and ongoing lack of responsiveness, as well a failure to comply with Marketing Guidelines.