

CONSUMER PROTECTION WORKING GROUP MINUTES

Friday, December 2, 2022

Disclaimer: Notes below reflect high level discussion and points made by participants during the call. The feedback received from these sessions will help inform the Agency's strategies on a variety of consumer protection issues. The positions and viewpoints expressed by stakeholders in the meeting may be different than the Agency's positions

TOPIC 1	Proposed Updates to the Standard Disclosure Forms
BACKGROUND	<p>Section 9.1 of 2022 Long Term Plan recognizes the need for the creation of Consumer Protection documents:</p> <p style="padding-left: 40px;">“In approving the Agency’s Initial Plan through Docket No. 17-0838, the Commission recognized the necessity for consumer protection requirements and authorized the Agency to develop requirements via program-related forms and documents outside of the Commission’s approval proceeding. Consistent with the Commission’s Order in that proceeding, the IPA developed initial consumer protection policies and procedures as terms and conditions of participation in these programs. In order to ensure transparency in the development of these guidelines, the IPA and its Program Administrators held a series of stakeholder feedback sessions and solicited written stakeholder feedback in 2018 before producing program brochures, standard disclosure forms, contract requirements, requirements for marketing behavior and marketing materials, and the ABP Program Guidebook and ILSFA Approved Vendor Manual upon opening of the programs.”</p> <p>The Disclosure Forms created after these initial feedback sessions with stakeholders have been the key consumer protection requirement for ABP and ILSFA. Each customer must receive and sign a standard Disclosure Form before signing their installation (for distributed generation) or subscription (for community solar) contract. The Disclosure Form provides clear, consistent information to the customer about the Program, the specific offer, and consumer rights. The standardized format allows customers to use the Disclosure Form to compare multiple offers in an apples-to-apples manner.</p> <p>The 2022 Long-Term Plan explains that the Agency intends to update and streamline the Disclosure Forms:</p>

	<p>“The Agency has received feedback that the Disclosure Forms for both the ABP and ILSFA should be streamlined and shortened. As part of this 2022 Plan, the Agency is submitting updated and revised Disclosure Forms for ABP and ILSFA, and for both distributed generation projects and community solar subscriptions. The forms are designed to be shorter, to focus on the key information while flagging other issues of which the customer should be aware, and to increase consistency in Disclosure Form design and content across all offers. Additional details on the new proposed forms are discussed below. The Agency is open to further modifications to these Disclosure Forms through a stakeholder process, which it plans to commence in the fall of 2022; however, the Agency felt it was important to provide new, redesigned documents as a starting place for further adjustments.” (p.316)</p> <p>The Agency filed example streamlined Disclosure Forms with the 2022 Long-Term Plan in Appendix I-2 and may make a few further refinements before putting the Disclosure Forms out for written public comment.</p> <p>Updated streamlined Disclosure Forms proposed for IL ABP and ILSFA:</p> <ul style="list-style-type: none"> • Distributed Generation: Purchase • Distributed Generation: Lease • Distributed Generation: PPA • Community Solar
<p>SUMMARY OF CHANGES</p> <p><i>changes referenced here are not an exhaustive list of updates. Please see Appendix I-2 for other formatting changings</i></p>	<ul style="list-style-type: none"> • Disclosure Forms have been reformatted and streamlined with the information displayed in table form. Tables present information in a format that is easy to follow and result in a shorter form overall • New sections include disclosures for: customers taking the Distributed Generation rebate, Community Solar offers where the customer is required to enroll with a specific ARES, and Community Solar offers where customer is required to give agency to the Community Solar provider for their utility account. • For Distributed Generation, the savings estimate information has been reformatted so that benefit values and expenses are in a table and can be added up • For Community Solar, the savings "Examples" have been eliminated in favor of calculating estimated savings for the specific customer
<p>ISSUES/QUESTIONS FOR DISCUSSION</p>	<ul style="list-style-type: none"> • Do customers have concerns or questions about things that are not explained in the proposed Disclosure Forms? • Are there operational hurdles that Approved Vendors and Designees foresee in providing the updated information?
<p>MINUTES</p>	<ul style="list-style-type: none"> • The Agency confirmed that final versions of streamlined Disclosure Forms are scheduled to be in place for new program year: June 1, 2023

- The Program Administrator confirmed that updates to the Disclosure Forms will also be available in the API format.
- The Agency confirmed that the Disclosure Forms are dynamic in nature and the appropriate fields and content will populate based on the inputs selected by Approved Vendor/Designee

Financing:

- For Adjustable Block Program DG Purchase Disclosure Forms, the Agency confirmed that, as proposed, the Disclosure Forms do not include specific third-party financing details; rather, the intent is to flag for the customer that there may be financing involved and customers should reference their financing agreement for details.

Net Metering:

- Stakeholder feedback included:
 - Pending tariff changes in ComEd and Ameren territories may eliminate the need for customers to re-apply for net-metering
 - The Net Metering rate may not be available at the time the Disclosure Form is generated.
 - Stakeholders proposed that net metering rates do not always translate easily to “xx cents/kWh” field; supply rates can be dynamic for some projects
 - A request for Word versions of the Disclosure Forms to allow commenters to submit track-change edits

Value of Electricity and Savings Estimates

- The Agency explained the table would allow for customers to see an apples-to-apples comparison of a system’s value of electricity between sellers. The table would be populated based on the system inputs within the Disclosure Form and from the Portal.
- Stakeholders proposed: Including disclosure language explaining that values are calculated using methodology of the Agency and Program Administrator, since Approved Vendors and Designees may use other methodologies or assumptions in proposals or other documents that they provide to the customer.

ILSFA Community Solar:

- There was a stakeholder request for a “TBD” community solar Disclosure Form for ILSFA, as there is for the ABP, which would allow community solar Disclosure Forms be generated and signed without disclosing the specific community solar project or Approved Vendor.