

CONSUMER PROTECTION WORKING GROUP MINUTES

Friday, January 6, 2023

***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	Supporting Stranded Distributed Generation Customers
BACKGROUND	<p>“Stranded customers” are Adjustable Block Program Distributed Generation customers whose Approved Vendor and/or Designee goes out of business, is unable to meet Program requirements, or is suspended because of disciplinary action and prohibited from advancing projects through the application process. The stranded customer may be left without an Approved Vendor and/or Designee to submit application materials, advance their application through the review process, complete system installation, and/or to pass through promised REC payments from the contracting utility.</p> <p>Section 7.7.1 of the 2022 Long-Term Plan states that:</p> <p align="center">“The Agency’s primary concern is a positive resolution for the customer, including a path forward for their project to be completed, approved as part of the ABP, and for the customer to receive promised REC payments, if possible... The Agency believes that the option of referring customers to a designated aggregator Approved Vendor that is willing to take on stranded customers is the best option for handling these types of situations”</p> <p>In support of finding a resolution for stranded customers, the Program Administrator is planning to release an announcement seeking Approved Vendors and Designees that have a proficient understanding of the Illinois Adjustable Block program and are interested in assisting stranded customers.</p> <p>The most common types of stranded customers are described in the included Exhibit 1.</p>
ISSUES / QUESTIONS FOR DISCUSS	<p><i>Discussion questions:</i></p> <ul style="list-style-type: none"> - <i>Have you encountered a stranded customer outside of those defined in Exhibit 1?</i> - <i>What assistance do you need from the Program Administrator when engaging a stranded customer?</i> - <i>What operational hurdles do you encounter when assisting a “stranded customer”?</i>
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	<ul style="list-style-type: none"> • IPA and Program Administrators provided clarification that the current known population of stranded customers only includes Illinois ABP Distributed Generation customers (both residential and commercial). The program currently has no instance of stranded ILSFA or Community Solar customers. • ABP Program Administrator provided comment instructing participants to have stranded or potentially stranded customers reach out to the Illinois ABP Program Administrator for assistance and that stranded customers may also wish to contact the Attorney General’s Office if appropriate. • ABP Program Administrator confirmed an internal list of stranded customers is being maintained by the Illinois ABP Program Administrator. <p>Stakeholder feedback included:</p> <ul style="list-style-type: none"> • There are fewer perceived operational hurdles when working with pre-installation stranded customers vs. customers whose project has already been batched. • Suggestions were made to disclose the possibility of customers becoming stranded on the Disclosure Form, or to have information on the program website about what steps a customer should take if they become stranded.
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TOPIC 2	Transition Period: Disclosure Form Timing Exception
BACKGROUND	<p>Section 5 of the October 2022 Adjustable Block Program Guidebook states “The Disclosure Form should be completed after system design (for DG systems) and must be delivered to the customer and signed by the customer before the customer signs that project’s installation contract or subscription agreement, in the case of community solar.” Disclosure Forms provide key information to customers about the Program, the specific offer, and the customer’s rights, in a standardized format.</p> <p>Due to the transition between Program Administrators, the online portal through which Approved Vendors and Designees create Disclosure Forms has had some functionality issues. On August 19, 2022 the Agency announced “an exception to disclosure form timing” that allowed a narrow exception to the requirement that customers review and sign Disclosure Forms prior to executing their installation or subscription contract. This period of exception has been referred to as the “leniency period” and applies to contracts signed starting June 30, 2022.</p> <p>Over the last few months, the Program Administrator has made updates to the online portal and expects to end the leniency period for disclosure form timing in Q1 2023. The Agency will announce when the portal is functioning as intended and there will be a 2-week grace period before the requirement that Disclosure Forms be signed prior to the signing of contracts to go back into effect. After the end of the leniency period, all Approved Vendors and Designees will again need to have customers sign the Disclosure Form before signing their contract. Violations of this requirement could result in disciplinary actions from warning up to suspension from the Illinois Adjustable Block Program.</p>

	<p>Supporting Links: Illinois Adjustable Block Program Transition Updates IPA August 19, 2022 Announcement IPA August 26, 2022 Announcement</p>
<p>ISSUES / QUESTIONS FOR DISCUSS</p>	<p><i>Discussion questions:</i></p> <ul style="list-style-type: none"> - <i>Are there portal concerns the Program Administrator should be aware of ahead of the end of the leniency period for disclosure form timing.</i> - <i>What assistance do you need from the Program Administrator in preparation for the end of the leniency period timing?</i>
<p>MINUTES</p>	<ul style="list-style-type: none"> • ABP Program Administrator confirmed they are currently working on making API (application programming interface) functionality available to the marketplace but provided clarification that the release of API functionality is not currently a requirement of discontinuing the leniency period. • ABP Program Administrator advised office hours currently take place weekly to assist Approved Vendors and Designees with questions regarding the online portal. Stakeholders can also email: admin@illinoisabp.com to get involved in testing new features in the online portal (<i>in reference to CSV upload and API functionality</i>). <p>Stakeholder feedback included:</p> <ul style="list-style-type: none"> • A suggestion to delay ending the Disclosure Form leniency period until the API functionality is in place, or until 30 days after the API functionality is available, to allow companies to complete IT work so that they can use the API. • Some Approved Vendors and Designees have customers that have declined signing a Disclosure Form until all information is displayed correctly.