

CONSUMER PROTECTION WORKING GROUP MINUTES

Friday, February 3, 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	Community Solar Subscription Sizing
BACKGROUND	<p>Over recent months, the Program Administrator has received an increase in customer inquiries regarding their Community Solar ("CS") Subscription size. Some customers are finding that their subscription size is larger than their electricity consumption. If the subscription is significantly oversized, this can result in the customer paying for more community solar bill credits than they can actually use, because the amount of bill credits greatly exceeds their utility bill (or the portion of the utility bill to which the credits can be applied). These customers see much higher-than-expected community solar bills and may not see promised savings.</p> <p>For Illinois Solar for All customers, this has possible implications for meeting Program savings requirements. Section XI. (B) of the Consumer Protection Handbook states: <i>"Approved Vendors and Designees must demonstrate that any ongoing costs and fees paid by the participant will not exceed 50% of the value of energy generated by the customer's share of the system."</i></p> <p>Even in Illinois Shines, an oversized subscription may lead to a Program violation if it means the customer does not receive promised savings.</p> <p>The Program Administrator wants to discuss ways in which Community Solar providers set customers' initial subscription size, and how CS providers monitor subscription size after initial enrollment and corrective measures taken when subscriptions are not properly sized.</p>
ISSUES / QUESTIONS FOR DISCUSS	<p><i>Discussion questions:</i></p> <ul style="list-style-type: none">- <i>Can CS Subscribers notify their CS Provider of permanent changes in their consumption and request reduced/increased subscription size?</i>- <i>How do CS Providers communicate to subscribers change in subscription size?</i>

	<ul style="list-style-type: none"> - <i>Is an audit taking place after initial enrollment to verify customer has appropriately sized subscription? Are there specific variance thresholds that are permissible when completing an audit?</i> - <i>Is there contract language that CS Providers include around subscription size variances?</i> - <i>Do customers know where to look on their bill to see if they're building up a big store of unused CS credits?</i> - <i>Is this an issue that Grassroots Educators and Consumer Advocacy groups are aware of and/or seeing?</i>
Minutes	<p>Stakeholder feedback included:</p> <ul style="list-style-type: none"> • CS Providers commented that customer subscription sizes are usually adjusted when a customer reaches out to the CS Provider due to receiving more credits than they can use on their utility bills. CS Providers noted that they do not have the proper data from utilities to monitor oversubscriptions themselves. • CS Providers noted that the program requirement that a customer must resign their Disclosure Form when the subscription size changes by more than 5kW takes time and action from the customer, and may be a blocker in some cases. • Other stakeholders stated that the burden should not be on the customer to reach out to the CS Provider for their subscription size to be properly resized and that CS Providers should do audits to ensure subscriptions are properly sized for each customer. • Utility bills being delayed, or utility rebills, cause issues for Community Solar customers. It is difficult for customers to keep track of their savings when there are issues with their utility bills.

TOPIC 2	Program Requirement: Responsiveness to Customers and Program Administrator
BACKGROUND	<p>Failure of an Approved Vendor or Designee to respond to customer inquiries they receive directly continues to be a driver for calls received by the Program Administrator's Consumer Protection Team. Additionally, failure to respond to deadlines set by the Program Administrator is the leading cause for complaints to be marked "closed" rather than "resolved."</p> <p>In registering to become an Approved Vendor or Designee within Illinois ABP and ILSFA, applicants sign an attestation agreeing to comply with all Program Requirements.</p>

As explained in the October 2022 version of the Adjustable Block Program Guidebook, Approved Vendors and Designees shall conduct business affairs with the goal of openness and transparency and should be open and willing to answer customer complaints. Specifically, under Section 3(B) of the Program Guidebook:

“Approved Vendors and Designees are expected to be responsive to customers’ questions and concerns, whether in relation to the Illinois ABP or to another aspect of the customer’s solar installation or community solar subscription, even in situations where the customer has not filed a formal complaint with the Program Administrator. Approved Vendors and Designees must act professionally towards customers, the Program Administrator, and the IPA at all times.... The failure of an Approved Vendor or Designee to meet deadlines, respond to the Program Administrator during the investigation of a complaint or consumer protection issue, and/or act unprofessionally towards customers, the Program Administrator, or the IPA could affect that entity’s status in the Program, including potential disciplinary action and suspension.

Additionally, Section I (A) of the Consumer Protection Handbook states:

“Approved Vendors and Designees must be responsive to customer questions and concerns regarding the Program or any aspect of or issues related to offers made as part of the Program. Approved Vendors and Designees must respond substantively to customer questions and concerns as promptly as reasonably practicable.”

Section X.(B) of Consumer Protection Handbook provides the additional detail:

“If an Approved Vendors or Designee is not responsive to the Program Administrator during a complaint investigation or responds unsatisfactorily to the Program Administrator during the investigation of a complaint, that Program entity's portal access may be shut off and the entity will be prohibited from generating Disclosure Forms or submitting Part I applications. Restricted portal access may be lifted once the entity begins responding in a satisfactory manner or once the investigation concludes, whichever comes first.”

Program Administrator seeks to identify hurdles that Approved Vendors and Designees experience in receiving or providing updates on ILSFA and Illinois ABP projects.

<p>ISSUES / QUESTIONS FOR DISCUSS</p>	<p><i>Discussion questions:</i></p> <ul style="list-style-type: none"> - <i>What hurdles do Approved Vendors and Designees experience in remaining responsive to customer and/or Program Administrator inquiries?</i> - <i>Is there additional information that the Program Administrator can gather from the customer to aid in responsiveness and complaint resolution?</i> - <i>Is there additional information that the Program Administrator can provide to aid in responsiveness to "Need Info" requests on program applications?</i> - <i>How are Approved Vendors managing responsiveness of their Designees?</i>
<p>Minutes</p>	<ul style="list-style-type: none"> • ABP Program Administrator explained the complaints process and the usual associated deadlines. • ABP Program Administrator acknowledged delays in the application process and explained that Approved Vendors and Designees will not be penalized for issues related to application delays that are due to the pause of application availability or delays in application review from the Program Administrator. <p>Stakeholder feedback Included:</p> <ul style="list-style-type: none"> • Approved Vendors and Designees stated that it would be useful if every request from the Program Administrator included a consistent deadline. Approved Vendors and Designees establish Key Performance Indicators (KPIs) based off of deadlines, which only work if deadlines are consistent. • A participant provided feedback that in other states the required response time is often defined in the formal program documents approved by the governing entities. Required response time can vary between 14-30 days in different states and it would be helpful to have "required response time" defined in the Illinois program documents so Approved Vendors and Designees can include this in their staff training.