



Program Violations Report

July 14, 2023



July 14, 2023 Update

The Program Administrator has revised the title, content, and structure of this Report (which was previously titled the “Disciplinary Action Report”). Previously, this Report contained only summaries of investigations that resulted in suspensions of entities participating in Illinois Shines. The Report now includes an additional section (“Warning Letters”) detailing all entities who received Warning Letters from the Program Administrator for confirmed Program violations since June 1, 2023. As required by the Consumer Protection Handbook, Warning Letters will be removed from this Report 12 months following their issue date.

As the Consumer Protection Handbook defines Warning Letters as non-disciplinary, we revised the title of the Report accordingly.

We also added a Table of Contents with links to each entry in the Report.

Finally, please note that not all violations of Program requirements are reflected in this Report. Only those that rise to the level of Warning Letters or Suspensions. Please see the Consumer Protection Handbook for further explanation of the processes followed by the Program Administrator for consumer protection violations and potential violations.

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Warning Letters

Arcadia Power

Entity Type: Designee

Date of Warning Letter: July 13, 2023

Reason for Warning: Arcadia Power sales agents violated Program requirements by both misrepresenting to customers that the agent were representatives of various utilities and failing to gain residents' consent before entering multi-family buildings to market to the residents. Additionally, Arcadia employed multiple unregistered Designees, used impermissible "no cost language" in marketing materials and included customer testimonials without noting the customers' state of residence (as is required by the Program). Finally, Arcadia Power enrolled customers in the Program without having them first sign Disclosure Forms.

Tesla, Inc.

Entity Type: Approved Vendor

Date of Warning Letter: June 8, 2023

Reason for Warning: Tesla violated the Long Term Plan's requirement that collateral for each batch must be delivered to the utility within 30 days of the batch's approval by the ICC. Approved Vendors are required to provide collateral for each batch of projects admitted to the Program to ensure that, if the batch produces fewer Renewable Energy Credits than are specified in a project's contract over a given period, funds are available to compensate for the shortfall. Tesla violated the Long Term Plan by posting collateral payments after their due dates for three different batches of projects, between January and February 2023.

Currently Suspended Program Entities

Eco-Energy Solutions, Inc. (“Eco-Energy Solutions”)

Entity Type: Designee

Reason for Suspension: Eco-Energy Solutions was suspended for multiple reasons including violating the Program’s Marketing Guidelines, failing to register as a Designee, and failing to respond to the Program Administrator. Entity originally suspended for 3 months.

Suspension Start Date: August 9, 2021

Appeal: None filed

Suspension Status: Suspended (entity has not satisfied reinstatement requirements)

Eco-Solar Solutions, LLC (“Eco-Solar”)

Entity Type: Approved Vendor

Reason for Suspension: Eco-Solar was suspended for several reasons, including misleading its customers with respect to Program incentive funding, non-responsiveness to customer complaints, and non-responsiveness to the Program Administrator regarding project applications, causing harm to its customers. Entity originally suspended for 6 months.

Suspension Start Date: December 22, 2021

Appeal: None filed.

Suspension Status: Suspended (has not met reinstatement requirements)

Empire Solar Group, LLC (“Empire Solar”)

Entity Type: Approved Vendor and Designee

Reason for Suspension: Empire Solar was suspended for failure to inform the Program Administrator that Empire Solar has filed for bankruptcy under Chapter 7 of the United States Bankruptcy Code and thereby violated Program requirements applicable to Approved Vendors in the Program. Empire Solar also violated Program requirements by repeatedly failing to respond to the Program Administrator during its investigation of a customer complaint. Entity originally suspended indefinitely.

Suspension Start Date: November 19, 2021

Appeal: None filed.

Energy of Illinois, Inc. (“Energy of Illinois”)

Entity Type: Designee

Reason for Suspension: Energy of Illinois was suspended for multiple reasons, including providing misleading information to its customer during sales interactions, failing to follow the Program’s Disclosure Form requirements, and failure to register as a Designee when requested. Entity originally suspended for 6 months.

Suspension Start Date: April 18, 2022

Appeal: None filed.

Suspension Status: Suspended (has not met reinstatement requirements)

Entron Holding, Inc D/B/A Enerpower (“Entron”)

Entity Type: Third-party marketing/sales firm

Reason for Suspension: Entron failed to satisfactorily work with its third-party installation partner and third-party sales partner to apply customer projects to the ABP. In addition, Entron failed to provide truthful and accurate information to customers and failed to comply with ABP Distributed Generation Marketing Guidelines (“DG Marketing Guidelines”). Entity originally suspended for 3 months.

Suspension Start Date: June 1, 2021

Appeal: None filed.

Suspension status: Suspended (entity has not satisfied reinstatement requirements)

Midwest United Solar LLC¹ (“Midwest United Solar”)

Entity Type: Designee

Reason for Suspension: Eco-Energy Solutions, Inc. was suspended in August 2021 for multiple reasons including violating the Program’s Marketing Guidelines (see the Eco-Energy Solutions' suspension outlined below). Eco-Energy Solutions, Inc. informed the Program Administrator that it would no longer conduct solar sales and created a new company, Midwest United Solar, to conduct solar sales. To participate in the Program as a Designee, Midwest United Solar was required to meet the reinstatement requirements originally set out for Eco-Energy Solutions, Inc. Midwest United Solar was suspended for failing to meet those reinstatement requirements.

Suspension Start Date: March 21, 2022

Appeal: None filed.

Suspension Status: Suspended (has not met reinstatement requirements)

¹ This is the spelling of the company name per the Illinois Secretary of State website.

Modern Mill LLC (“Modern Mill”)

Entity Type: Designee

Reason for Suspension: Modern Mill was suspended for multiple reasons, including failing to comply with the ABP Consumer Protection Handbook, repeated lack of responsiveness to the Program Administrator while investigating customer complaints, failing to provide truthful and accurate information to its customers, and failing to follow the Program’s Disclosure Form requirements. Entity originally suspended for 3 months.

Suspension Start Date: February 22, 2023

Appeal: None filed.

Suspension Status: Suspended (has not met reinstatement requirements)

Offset Solar LLC (“Offset Solar”)

Entity Type: Designee

Reason for Suspension: Offset Solar violated Section 2 of the Distributed Generation Minimum Contract Requirements, dated January 23, 2019, by failing to indicate in the customer contract when mechanics' lien waivers will be provided and for failing to respond to the Program Administrator after repeated requests for information. Entity originally suspended indefinitely.

Suspension Start Date: August 29, 2019

Appeal: None filed.

Suspension Status: Suspended (entity has not satisfied reinstatement requirements)

Phenomenal Power, LLC (“Phenomenal Power”)

Entity Type: Third-party marketing/sales firm

Reason for Suspension: Phenomenal Power failed to satisfactorily work with its third-party installation partner to submit customer projects to the ABP, failed to provide truthful and accurate information to its customers and failed to register as a Designee with the Program. Phenomenal Power was unresponsive to a customer after the customer filed a complaint and was unresponsive to the Program Administrator during the investigation of the customer’s complaint. Additionally, Phenomenal Power failed to comply with ABP Distributed Generation Marketing Guidelines (“DG Marketing Guidelines”). Entity originally suspended for 6 months.

Suspension Start Date: June 1, 2021

Appeal: None filed.

Power Home Solar LLC D/B/A Pink Energy (“Power Home Solar”)

Entity Type: Approved Vendor & Designee

Reason for Suspension: Power Home Solar was suspended for multiple Program violations, including multiple instances of Power Home Solar representatives providing misleading and inaccurate information to its customers during the sales process, repeatedly failing to follow Program requirements with respect to ABP Disclosure Forms thus causing a number of customers to be added to the ABP waitlist, and failing to provide satisfactory responses to the Program Administrator during the investigation of multiple consumer complaints. Entity originally suspended for 6 months.

Suspension Start Date: July 15, 2021

Appeal: Submitted on August 6, 2021. Denied on September 27, 2021.

Prestige Solar Solutions, LLC (“Prestige Solar”)

Entity Type: Designee

Reason for Suspension: Prestige Solar was suspended for multiple reasons, including failing to comply with the ABP Consumer Protection Handbook, failing to provide truthful and accurate information to its customers, and repeated lack of responsiveness to the Program Administrator while investigating customer complaints. Entity originally suspended for 3 months.

Suspension Start Date: May 19, 2023

Appeal: None filed.

Suspension Status: Suspended (entity may not be reinstated prior to August 19, 2023)

Sigora Solar, LLC (“Sigora Solar”)

Entity Type: Approved Vendor and Designee

Reason for Suspension: Sigora Solar failed to provide truthful and accurate information to a customer. Sigora Solar failed to comply with ABP requirements regarding timely and accurate presentation of ABP Disclosure Forms to multiple customers and delayed submission of these completed ABP Disclosure Forms to the Program. Entity originally suspended for 3 months.

Suspension Start Date: June 9, 2021

Appeal: None filed.

Suspension status: Suspended (entity has not satisfied reinstatement requirements)

Solar Ready Solutions, LLC (“Solar Ready Solutions”)

Entity Type: Designee

Reason for Suspension: Solar Ready Solutions was suspended for multiple reasons, including failing to comply with the Illinois Shines Consumer Protection Handbook, failing to provide truthful and

accurate information to its customers, repeated lack of responsiveness to the Program Administrator while investigating customer complaints, and failure to maintain business registration. Entity originally suspended for 3 months.

Start Date of Suspension: June 23, 2023

Appeal: None filed.

Suspension Status: Suspended (entity may not be reinstated before September 23, 2023)

Solarize South Carolina, LLC (“Solarize South Carolina”)

Entity Type: Third-party marketing/sales firm

Reason for Suspension: Solarize South Carolina failed to register as a Designee with the Program and failed to respond to the Program Administrator’s inquiries regarding a consumer complaint. Entity originally suspended for 6 months.

Suspension Start Date: July 15, 2021

Appeal: None filed.

Suspension status: Suspended (entity has not satisfied reinstatement requirements)

Standard Eco, LLC (“Standard Eco”)

Entity Type: Designee

Reason for Suspension: Standard Eco was suspended for multiple instances of Standard Eco representatives providing misleading information to customers during the sales process, creating unnecessary delays in application submission, causing applications to be placed on the Program waitlist after customers were told they would receive Program incentives, and failing to provide satisfactory responses to both customers and the Program Administrator regarding consumer complaints. Entity originally suspended for 6 months.

Suspension Start Date: November 29, 2021

Appeal: None filed.

Suspension Status: Suspended (has not met reinstatement requirements)

Vir Solar LLC (“Vir Solar”)

Entity Type: Designee

Reason for Suspension: Vir Solar performed door-to-door marketing and violated the emergency amendment to the ABP Marketing Guidelines updated on October 7, 2020, prohibiting such solicitations during the ongoing COVID-19 pandemic. Entity originally suspended for 6 months.

Suspension Start Date: April 20, 2021

Appeal: None filed.

Suspension status: Suspended (on November 15, 2021, Vir Solar informed the Program Administrator that it does not intend to submit reinstatement materials or reenter the Illinois Shines Program)

WCP Solar Services, LLC (“WCP Solar”)

Entity Type: Approved Vendor

Reason for Suspension: WCP Solar has repeatedly failed to satisfactorily communicate with the Program Administrator, failed to respond to WCP’s own customers who have contacted WCP Solar, and failed to disclose fees charged by WCP Solar on a customer’s ABP Disclosure Form as required by the Program. Entity originally suspended for 3 months.

Suspension Start Date: November 13, 2021. WCP Solar’s suspension term was extended five times, with the final extension being indefinite.

Appeal: WCP Solar did not appeal their initial suspension, first extension, second extension, or third extension. An appeal was submitted on October 11, 2021, for their fourth suspension extension. The appeal was denied on December 8, 2021.

Suspension status: Suspended (entity has not satisfied reinstatement requirements).

WindSoleil Incorporated (“WindSoleil”)

Entity Type: Approved Vendor and Designee

Reason for Suspension: WindSoleil was suspended for multiple reasons, including failure to provide truthful and accurate information to its customers, repeated lack of responsiveness to the Program Administrator while investigating customer complaints, and for failing to comply with the Program Distributed Generation Marketing Guidelines. Entity was originally suspended for 3 months.

Suspension Start Date: May 24, 2022

Appeal: Submitted on June 6, 2022. Denied on July 8, 2022.

Suspension Status: Suspended (has not met reinstatement requirements)

Previously Suspended Program Entities

Bright Planet Solar, Inc (“Bright Planet Solar”)

Entity Type: Designee

Reason for Suspension: A third-party sales company, contracted to perform sales on behalf of Bright Planet Solar, performed door-to-door marketing and violated the emergency amendment to the ABP Marketing Guidelines updated on October 7, 2020, prohibiting such solicitations during the ongoing COVID-19 pandemic. Entity originally suspended for 3 months.

Suspension Start Date: November 13, 2020

Appeal: Submitted November 18, 2020. Denied December 17, 2020.

Suspension End Date: February 13, 2021; Designee status restored.

C&D Marketing LLC (“C&D Marketing”)

Entity Type: Third-party marketing Firm

Reason for Suspension: Third-party sales 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 updated on October 7, 2020, prohibiting such solicitations during the ongoing COVID-19 pandemic. Entity originally suspended for 6 months.

Suspension Start Date: November 13, 2020

Appeal: Submitted November 25, 2020. Denied December 17, 2020.

Suspension End Date: May 13, 2021**On 05/26/2021, C&D Marketing met re-entry requirements and the Program Administrator lifted the suspension on that same day.

Common Energy, LLC (“Common Energy”)

Entity Type: Approved Vendor, Designee

Reason for Suspension: Common Energy was suspended for editing the standard text of the Disclosure Form and presenting the modified Disclosure Form to customers. In addition to editing the Disclosure Form, Common Energy did not generate the Disclosure Forms properly.

Suspension Start Date: February 11, 2022

Appeal: Submitted February 25, 2022. Granted on September 19, 2022 on condition of Alternative Disciplinary Plan compliance. The Illinois Power Agency (“IPA”) granted the appeal because Common Energy had stopped its use of the noncompliant, modified Disclosure Form, and because the violative conduct may not have been as egregious as some of the conduct for which entities are typically suspended. For example, Common Energy’s use of the modified Disclosure Form did not appear to be intended to mislead customers. Further, additional recent Program violations supported

the conclusion that Common Energy did not have appropriate staff and internal protocols to ensure compliance with Program requirements. In place of a suspension, the IPA worked with Common Energy to develop an Alternative Disciplinary Plan to ensure future compliance. The Alternative Disciplinary Plan includes the development of a stronger training program for its agents, the integration of a Chief Compliance Officer, and the hiring of a third-party consultant to perform compliance audits.

Suspension End Date: May 11, 2022; Appeal granted, and previously stayed suspension waived in favor of Alternative Disciplinary Plan; Approved Vendor and Designee status maintained.

Eco-Solar Solutions, LLC (“Eco-Solar Solutions”)

Entity Type: Approved Vendor

Reason for Suspension: Eco-Solar Solutions has repeatedly failed to communicate with the Program Administrator during its investigation of consumer complaints, failed to respond to Eco-Solar Solutions’ own customers who have contacted Eco-Solar Solutions, and failed to address these communication failures after receiving a warning letter from the Program Administrator on 10/23/20. Entity originally suspended for 3 months.

Suspension Start Date: January 22, 2021

Appeal: None filed.

Suspension End Date: April 22, 2021; Approved Vendor status restored.

Freedom Forever LLC (“Freedom Forever”)

Entity Type: 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 updated on June 30, 2020, prohibiting such solicitations during the ongoing COVID-19 pandemic. Entity originally suspended for 6 months.

Suspension Start Date: July 7, 2020

Appeal: Submitted July 8, 2020. Denied with exception July 31, 2020. After appealing their suspension, Freedom Forever’s appeal was denied by the IPA. However, Freedom Forever’s installation team was permitted to continue with the installation of systems during their suspension term.

Suspension End Date: October 7, 2020; Approved Vendor and Designee status restored.

Headline Solar, LLC (“Headline Solar”)

Entity Type: Approved Vendor, Designee

Reason for Suspension: Headline Solar was suspended for multiple reasons, including failure to provide customers with timely and accurate Disclosure Forms causing a number of

Headline Solar customers to be added to the ABP waitlist, failure to provide truthful and accurate information to customers during its sales processes, and repeated lack of timely responses to the Program Administrator's inquiries regarding complaints made by Headline Solar customers.

Suspension Start Date: August 12, 2021

Appeal: None filed.

Suspension End Date: November 12, 2021*; Approved Vendor and Designee status restored.

*Headline Solar met re-entry requirements on 12/6/2021 and the Program Administrator lifted their suspension the same day.

Iconic Energy LLC ("Iconic Energy")

Entity Type: Designee

Reason for Suspension: Iconic Energy violated Section 8(d) of the ABP Guidelines for Marketing Material and Marketing Behavior, dated January 31, 2019, by signing disclosure forms on behalf of customers. Entity originally suspended for 12 months.

Suspension Start Date: February 12, 2019

Appeal: Submitted February 13, 2019. Denied March 12, 2019. After appealing their suspension, Iconic Energy's appeal was denied but the suspension term was shortened by the Illinois Power Agency ("IPA") to a new end date of March 12, 2019.

Suspension End Date: March 12, 2019; Designee status restored.

Kapital Electric Company, LLC ("Kapital Electric")

Entity Type: Designee

Reason for Suspension: Kapital Electric failed to satisfactorily apply projects which it developed with third party partners to the ABP. Kapital Electric failed to respond to a customer after the customer filed a complaint and was unresponsive to the Program Administrator during the Program Administrator's investigation of the customer's complaint. Entity originally suspended for 3 months.

Suspension Start Date: June 1, 2021

Appeal: Submitted June 11, 2021. Denied but with shortened suspension term July 12, 2021. Upon appeal, the Illinois Power Agency ("IPA") determined that because Kapital Electric acted in good faith in its attempts to resolve the customer complaint, worked towards a resolution with the Program Administrator and has ceased working with the third-party partners involved in the initial complaint, the IPA shortened Kapital Electric's suspension term to end on July 12, 2021.

Suspension End Date: September 1, 2021; Designee status restored.

LGCY LLC D/B/A LGCY Power ("LGCY Power")

Entity Type: Designee

Reason for Suspension: LGCY Power violated Section 3(a) of the ABP Guidelines for Marketing Material and Marketing Behavior, dated January 31, 2019, by stating “ComEd Energy Savings Program” in third-party customer solicitations. Entity originally suspended for 3 months.

Suspension Start Date: June 24, 2019

Appeal: Submitted July 2, 2019. Denied September 23, 2019.

Suspension End Date: March 12, 2019; Designee status restored.

Standard Eco LLC (“Standard Eco”)

Entity Type: Designee

Reason for Suspension: Standard Eco violated Section 2.D(4)(a) of the ABP Guidelines for Distributed Generation Marketing Materials and Marketing Behavior, dated September 16, 2020, by failing to provide customers with a Disclosure Form until several months after customers signed their installation contract and for a failure to respond to their Approved Vendor after repeated requests for information on this issue. Entity originally suspended for 4 months.

Suspension Start Date: July 7, 2020

Appeal: Submitted July 21, 2020. Denied August 28, 2020.

Suspension End Date: November 7, 2020; Designee status restored.

Sunder Energy LLC (“Sunder Energy”)

Entity Type: 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 updated on June 30, 2020, prohibiting such solicitations during the ongoing COVID-19 pandemic. Entity originally suspended for 6 months.

Suspension Start Date: July 7, 2020

Appeal: Submitted July 8, 2020. Denied July 31, 2020

Suspension End Date: January 7, 2021; Designee status restored.

United American Marketing Corp. (“United American Marketing”)

Entity Type: Designee

Reason for Suspension: United American Marketing performed door-to-door marketing and violated the emergency amendment to the ABP Marketing Guidelines updated on October 7, 2020, prohibiting such solicitations during the ongoing COVID-19 pandemic. Entity originally suspended for 6 months.

Suspension Start Date: October 15, 2020

Appeal: Submitted October 29, 2020. Denied November 19, 2020.

Suspension End Date: April 15, 2021; Designee status restored.