

To: Illinois Power Agency
From: Citizens Utility Board of Illinois
Date: March 20, 2022
Re: Stakeholder Feedback on CP Documents
Submitted to: IPA.Solar@illinois.gov

The Citizens Utility Board (CUB), an Illinois Solar for All Grassroots Educator, respectfully submits the following comments in response to the Illinois Shines 2026–2027 Draft Consumer Protection Handbook stakeholder feedback request.

III. Requirements for Specific Marketing Channels

A.1. Identification

The Agency requires agents who engage in in-person solicitation to display their name, agent ID number, photograph, and the trade name and logo of the company they represent. CUB has received complaints from consumers who did not understand that they were interacting with multiple entities (e.g., Approved Vendor, Designee, or nested designee). To reduce confusion, CUB recommends that agents engaging in in-person solicitation also be required to display the trade name and logo of all companies involved in the transaction chain. For example, if an agent of a nested designee is engaging in in-person solicitation, the agent should be required to display not only the trade name and logo of the entity they directly represent, but also those of the associated Designee and Approved Vendor. CUB believes this additional transparency will reduce consumer confusion and improve accountability across program participants.

A.3. Door-to-Door Solicitations to Residential Dwellings

CUB recommends that Approved Vendors, Designees, and nested designees conducting door-to-door solicitations be prohibited from signing disclosure forms or executing contracts during the initial visit. Instead, agents should be required to schedule a follow-up interaction if a consumer wishes to proceed with contract execution in the presence of the solicitor. Signing contracts during an initial door-to-door interaction is frequently associated with high-pressure sales tactics and does not provide consumers sufficient time to review contract terms or research the company. Consumer advocates believe that many misunderstandings and consumer protection violations occur under these conditions.

V. Standard Disclosure Forms and Requirements for Contract Execution

A. General Requirements

CUB strongly supports the Agency's suggestion to explicitly prohibit sales agents from helping customers access email accounts and to require sales agents to explain to customers how e-signed documents can be accessed. While technological barriers may present challenges for some consumers, it is not appropriate for sales agents to directly intervene in accessing personal accounts. This safeguard helps protect consumer privacy and reduces the risk of unauthorized actions or undue influence during the contracting process.

B. Requirements for Community Solar Offers when Specific Project is "To Be Determined"

CUB recommends that the Agency strengthen customer communication requirements for community solar subscribers awaiting project activation. Specifically, CUB recommends that customers receive an initial status update within three months of executing a subscription agreement and that customers receive monthly updates thereafter until the system becomes operational. Long periods without communication can lead to confusion, frustration, and reduced trust in the program. More frequent updates would improve the customer experience and support overall program credibility.

VII. Sales Agent Training

CUB recommends that nested designees who engage in in-person solicitation, telemarketing, or otherwise interact directly with customers be required to complete the same or equivalent sales agent training as Approved Vendors and Designees. Ensuring consistent training requirements across all customer-facing entities will promote compliance with program rules and improve overall consumer protection outcomes.

X. Customer Complaints, Designee Management, and Disciplinary Determinations and Process

C. Process for Consumer Protection Violations and Potential Violations

CUB has observed a pattern of complaints involving misleading sales tactics and false or exaggerated promises in the marketing of solar systems. While it is expected that larger companies may receive a higher volume of complaints due to their market share, CUB has identified recurring complaint themes across multiple entities that suggest systemic issues rather than isolated incidents. In light of these trends, CUB recommends that the Agency establish a quantitative threshold or framework to identify patterns of consumer protection violations. Such a framework could include:

- A defined number or rate of substantiated complaints within a given timeframe;
- Consideration of repeated complaint types or allegations; and
- Escalating enforcement actions when patterns of misconduct are identified

Consumers should be protected from companies that demonstrate persistent negative patterns of behavior. While the current process for consumer protection violations is an important foundation, CUB believes that a more structured and proactive approach to identifying and addressing repeat offenders is necessary to ensure program integrity.

XII. Consumer Protection Initiatives from the 2024 Long-Term Plan

A. Solar Restitution Program

CUB appreciates the Illinois Power Agency's establishment of the Solar Restitution Program (SRP) and its initial focus on non-payment of REC pass-through incentives. As the Agency considers future phases of the SRP, CUB recommends expanding eligibility to address additional categories of clear, documentable financial harm experienced by consumers as a result of Approved Vendor or Designee conduct. We recommends that the Agency consider the following priority categories:

1. Partial or Underpaid REC Pass-Through Incentives

CUB recommends expanding eligibility to include cases where consumers received partial or inaccurately calculated REC payments. This includes situations where payments were reduced through undisclosed fees, miscalculated system sizes, or payment structures that differ materially from contractual commitments.

2. Systems Paid For but Not Installed or Completed

CUB recommends including consumers who have made payments toward systems that were never installed, were only partially installed, or were not brought into operational service. These cases often result in significant financial harm, particularly where consumers remain responsible for loans or other financing obligations.

3. Installation Defects and Resulting Property Damage

CUB recommends covering cases involving defective installations that lead to financial harm, including costs associated with repairs, system remediation, or property damage (e.g., roof damage or electrical issues). Eligibility could be tied to verified non-compliance with program standards or failed inspections.

4. Misrepresentation of Financial Terms or Expected Benefits

CUB recommends including cases where consumers experience financial harm due to material misrepresentation of contract terms or system benefits. This may include inaccurate claims regarding energy savings, system performance, or the comparative value of ownership versus third-party arrangements, where such claims can be substantiated.

5. Predatory or Deceptive Financing Practices

CUB recommends addressing harms related to financing structures that obscure true system costs or redirect expected consumer benefits. Examples include undisclosed dealer fees, escalator clauses that were not clearly explained, or diversion of incentives such as REC payments or tax credits in ways that differ from consumer expectations or contractual representations.