



Illinois Commerce Commission Strengthens Rules for Retail Electric Marketplace

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On October 19, 2017, the Illinois Commerce Commission (“ICC”) adopted [rules](#) that significantly strengthen consumer protections governing the sales and marketing practices of retail electric suppliers in Illinois. Adoption of the marketing rules is the culmination of an effort spearheaded by the ICC in 2014, following a spike in electricity prices during the “polar vortex” winter of 2013-2014 which led to the ICC receiving a sharp increase in consumer complaints regarding the marketing practices of suppliers. Significantly, the new marketing guidelines provide regulators with improved enforcement mechanisms and require suppliers to take improved verification and quality control measures.

Many of the consumer protections adopted by the ICC are already in place in Connecticut, such as advance notice of changes in supplier rates and a provision prohibiting suppliers from using utility names and logos in marketing. The ICC also enacted important provisions that the Office of Consumer Counsel (“OCC”) has advocated for adoption of in Connecticut, including a provision that suppliers must record and maintain all telemarketing sales calls; a provision that suppliers must make more detailed disclosures about so-called “green” (environmentally friendly) offers; a provision that each supplier shall perform criminal background checks on all employees and agents engaged in in-person solicitation; and, in an

effort to prevent the common practice of “slamming” or unauthorized switching, a provision that supplier marketing agents shall not make a record of a customer's utility account number unless the customer has agreed to enroll or otherwise provided consent to the release of that information.

Since 2014, the Connecticut Public Utilities Regulatory Authority (“PURA”) has also been adjudicating proceedings related to the development and implementation of marketing standards and sales practices for suppliers operating in Connecticut. OCC has been an active participant in these proceedings, advocating for robust consumer protections. A final decision on Connecticut supplier marketing standards is expected in early 2018 in PURA Docket No. 14-07-20RE01.

Please visit  [OCC's website.](#)