



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

MEMORANDUM

TO: Distribution List in:
D.P.U. 19-07, Investigation into Initiatives to Promote and Protect Consumer Interests in the Retail Electric Competitive Supply Market.

FROM: Gregory Wade, Hearing Officer

RE: June 18, 2020 Zoom Conference Meeting

DATE: June 11, 2020

CC: Mark D. Marini, Secretary

I. INTRODUCTION

On May 22, 2020, the Department of Public Utilities (“Department”) issued an Order in our Investigation into Initiatives to Promote and Protect Consumer Interests in the Retail Electric Competitive Supply Market, D.P.U. 19-07-A. For many initiatives set forth in the Order, the Department stated that the Hearing Officer assigned to the proceeding would provide further direction to stakeholders regarding the implementation details associated with each initiative. As announced in a May 27, 2020 Hearing Officer Memorandum, the Department plans to convene a Zoom conference meeting with stakeholders on June 18, 2020. The purpose of the meeting is to allow the Department to better understand any further direction that stakeholders may require to allow for an efficient and effective implementation of the initiatives. Below, we summarize the initiatives set forth in D.P.U. 19-07-A.

To assist us in optimizing the usefulness of the meeting, the Department requests that stakeholders submit questions to the Hearing Officer at greggory.wade@mass.gov by 5:00 p.m. on Tuesday June 16, 2020. The Department will provide stakeholders with details

about how to participate in the meeting, and presentation materials to be used during the meeting, no later than Tuesday June 16, 2020.

II. SUMMARY OF INITIATIVES

License Application Review - In D.P.U. 19-07-A at 7, the Department set forth the process by which we will make new license applications filed on or after July 1, 2020 available for stakeholder comment. Prior to that date, the Department will provide direction to stakeholders on how (1) to gain access to new license applications and (2) to be included on the distribution service list by which the Department will notify stakeholders of new license applications.

Door-To-Door Marketing Notification - In D.P.U. 19-07-A at 13, the Department set forth an initiative that requires competitive suppliers, as of August 3, 2020, to submit daily door-to-door marketing notifications to the Department (Order Attachment C). The Department will provide further direction to competitive suppliers regarding filing requirements.

Identification of Third-Party Marketing Vendors - In D.P.U. 19-07-A at 30, the Department set forth an initiative that requires competitive suppliers, as of August 3, 2020, to submit updated list of their third-party marketing vendors within ten business days of the addition or removal of a vendor (Order Attachment D). The Department will provide further direction to competitive suppliers regarding filing requirements.

Disclosure of Product Information - In D.P.U. 19-07-A at 35, the Department set forth an initiative that requires competitive suppliers, as of August 3, 2020, to provide consumers with a Contract Summary Form (Order Attachment E). In specified instances, competitive suppliers will be required to submit a Contract Summary Form to the Department for review. The Department will provide further direction to competitive suppliers regarding filing requirements.

Marketing Scripts - In D.P.U. 19-07-A at 50, the Department specified the scripts that competitive suppliers, as of August 3, 2020, are required to use at the beginning of telemarketing calls and door-to-door interactions.

Recording of Marketing Interactions - In D.P.U. 19-07-A at 53, the Department set forth an initiative that requires competitive suppliers, as of August 3, 2020, to record outgoing telemarketing calls conducted on their behalf for which the duration exceeds one minute, regardless of whether the call did or did not result in a customer enrollment. Competitive suppliers are required to retain their recordings for a minimum of two years.

Review of Marketing Materials - In D.P.U. 19-07-A at 56, the Department set forth an initiative that requires competitive suppliers, as of August 3, 2020, to submit their direct mail marketing materials to the Department for review. The Department will provide further direction to competitive suppliers regarding filing requirements.

Automatic Renewal Notifications - In D.P.U. 19-07-A at 62, the Department set forth an initiative that requires competitive suppliers to send an automatic renewal notification to customers between 30 and 60 days prior to the expiration of their contracts (Order Attachment F). These requirements apply to customers whose contracts expire on or after September 8, 2020.

Automatic Renewal Reports - In D.P.U. 19-07-A at 67, the Department set forth an initiative that requires competitive suppliers to submit semi-annual reports on the number of their customers whose contracts have been automatically renewed (Order Attachment G). Competitive suppliers shall submit their initial automatic renewal reports on August 3, 2020. Prior to that date, the Department will provide further direction to competitive suppliers regarding filing requirements and what constitutes an automatic renewal.

Enrollment Reports - In D.P.U. 19-07-A at 73, the Department set forth an initiative that requires competitive suppliers to submit semi-annual reports on their customer enrollments (Order Attachment H). Competitive suppliers shall submit their initial enrollment reports on August 3, 2020. Prior to that date, the Department will provide further direction to competitive suppliers regarding filing requirements.

Energy Switch Website - In D.P.U. 19-07-A at 79, the Department set forth the rules that will govern the Website's display of municipal aggregation products. The Department in this proceeding will inform stakeholders when the rules will take effect, and will provide direction to municipal aggregators regarding the steps they will need to take to display their products on the Website.