



# 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  
Andrew Strumfels, Hearing Officer

RE: Tier One Initiatives - Further Direction and Issues for Further Discussion

DATE: July 17, 2020

CC: Mark D. Marini, Secretary

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#### 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. On June 18, 2020, the Department convened a Zoom meeting with stakeholders to allow us to better understand the directions that stakeholders require to best ensure an efficient and effective implementation of the initiatives.

In this Hearing Officer Memorandum, the Department provides further direction on the implementation details associated with the following initiatives set forth in

D.P.U. 19-07-A:<sup>1</sup> (1) notification of door-to-door marketing; (2) identification of third-party marketing vendors; (3) disclosure of product information; (4) marketing scripts; (5) recording of telemarketing calls; (6) review of direct mail marketing materials; (7) automatic renewal notification; (8) automatic renewal reports; (9) enrollment reports; and (10) the display of municipal aggregation products on the Energy Switch Website (“Website”) (Section II, below).<sup>2</sup> The Department also identifies issues for further discussion related to these initiatives (Section III, below).

## II. FURTHER DIRECTION

### A. Application of Initiatives

#### 1. Residential/Small Commercial and Industrial Consumers

In D.P.U. 19-07-A at 7, the Department stated that, unless otherwise noted, the initiatives set forth in the Order apply to both residential and small commercial and industrial (“C&I”) consumers. The Department specified that the following initiatives apply only to residential consumers: (1) notification of door-to-door marketing; (2) automatic renewal reports; and (3) enrollment reports. D.P.U. 19-07-A at 19, Attachment G, Attachment H.

Based on the discussion during the June 18, 2020 Zoom meeting, the Department recognizes that further discussion with stakeholders regarding the definition of a small C&I consumer is required before the following initiatives can be applied to these customers in a useful manner: (1) identification of third-party marketing vendors; (2) disclosure of product information; (3) marketing scripts; (4) recording of telemarketing calls; (5) review of direct mail marketing materials; and (6) automatic renewal notification. Therefore, during the initial stage of implementation, these initiatives will also apply only to residential consumers.

#### 2. Competitive Suppliers/Electricity Brokers and Gas Retail Agents

In D.P.U. 19-07-A at 7, the Department stated that, unless otherwise noted, the initiatives set forth in the Order apply both to entities licensed as electric and gas competitive suppliers (“competitive suppliers”) and to entities licensed as electricity brokers and gas retail

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<sup>1</sup> The initiatives set forth in D.P.U. 19-07-A apply to both the electric and gas retail competitive supply markets, except for the Website initiative, which applies only to the electric retail market. D.P.U. 19-07-A at 7.

<sup>2</sup> On June 25, 2020, the Department issued a Hearing Officer Memorandum that provided direction on how stakeholders can gain access to new license applications and submit comments related to those applications, as set forth in D.P.U. 19-07-A at 10-12.

agents (“brokers/agents”).<sup>3</sup> The Department specifies that the following initiatives apply only to competitive suppliers: (1) automatic renewal notifications; (2) automatic renewal reports; (3) enrollment reports; and (4) the Website.

Based on the discussion during the June 18, 2020 Zoom meeting, the Department specifies that competitive suppliers must comply with the following initiatives where the product(s) being marketed is limited to the product(s) offered by the competitive supplier: (1) notification of door-to-door marketing; (2) identification of third-party marketing vendors; (3) disclosure of product information; (4) marketing scripts; (5) recording of telemarketing calls; (6) review of direct mail marketing materials. The Department expects that this scenario will represent most residential marketing activities that take place in the Commonwealth. Brokers/agents must comply with these initiatives in the limited instances in which they are marketing products on behalf of multiple competitive suppliers, during a single marketing “campaign,” with whom the broker/agent has contracted to provide such services.

## B. Door-To-Door Marketing Notification<sup>4</sup>

### 1. Background

In D.P.U. 19-07-A at 19-30, the Department set forth an initiative that requires competitive suppliers and brokers/agents that are door-to-door marketing to residential consumers to submit daily notifications to the Department. The initiative (1) establishes a limit of five municipalities that entities can identify in a notification and (2) requires that entities identify specific neighborhoods in Boston in which they may be engaging in door-to-door marketing. The Department set forth the format in which entities shall provide this information in Attachments C.1 (municipality information), C.2 (vendor contact information), and C.3 (company contact information) to the Order. The Department stated that it will include in its standing order for protective treatment, the information related to municipality information and vendor contact information, consistent with the process set forth in Initiatives to Improve the Retail Electric Competitive Supply Market, D.P.U. 14-140-G at 23-29 (2018). D.P.U. 19-07-A at 29. Subject to the execution of a non-disclosure agreement, entities are required to provide the Office of the Attorney General with the

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<sup>3</sup> The Department specifies that, except for the Website initiative, the initiatives set forth in D.P.U. 19-07-A do not apply to municipal aggregation programs or the competitive suppliers and brokers/agents that municipal aggregators may employ to implement their programs.

<sup>4</sup> A description of this initiative, as well as the implementation details provided below, can be found on the Departments website at <https://www.mass.gov/how-to/door-to-door-marketing-notification> (“Door-to-door marketing notification”).

door-to-door marketing notifications concurrent with their submission to the Department. D.P.U. 19-07-A at 29 n.17. This initiative applies to door-to-door marketing that takes place on or after August 3, 2020.

## 2. Correction

In D.P.U. 19-07-A, the Department mistakenly required entities to provide information in Attachment C.1 regarding whether they had contacted specified officials of the municipalities identified in the notification.<sup>5</sup> The Department corrects this mistake in Table 1 of Attachment “Door-to-Door Marketing Notification” to this Hearing Officer Memorandum (see below).

## 3. Implementation Details

Attachment “Door-to-Door Marketing Notification” to this Hearing Officer Memorandum includes the three tables that entities shall submit with each notification: (1) Table C.1 (Municipality Information); (2) Table C.2 (Vendor Contact Information); and (3) Table C.3 (Company Contact Information).<sup>6</sup> Attachment “Door-to-Door Marketing Notification” also includes an Instruction tab that provides direction to entities regarding the information to be provided in the notifications. Based on the discussion during the June 18, 2020 Zoom meeting, the Department specifies that, for each notification submitted by an entity during a calendar year, the entity shall submit an “updated” version of Table C.1 (Municipality Information) that lists the municipalities applicable to the notification’s marketing date below the municipalities listed in the entity’s prior notifications (the Department provides an illustrative notification in Attachment “Door-to-Door Marketing Notification,” Table C.1 - Example).<sup>7</sup> Entities shall include the required contact information in Tables C.2 and C.3 (Vendor Contact Information and Company Contact Information) that is applicable to the notification’s marketing date.

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<sup>5</sup> The Department identified the notification of municipal officials as an issue that required further discussion with stakeholders before it could be implemented.

<sup>6</sup> The tables included in Attachment “Door-to-Door Marketing Notification” contain minor non-substantive revisions to the tables included in Attachment C to the Order, except for the correction included in Table C.1, as discussed above.

<sup>7</sup> Such an approach will allow the Department to readily view entities’ door-to-door marketing activities during each calendar year. Upon the start of a new calendar year, entities shall submit a “new” version of Table C.1 that does not include municipalities listed in notifications from the prior calendar year.

The material contained in Table C.1 and Table C.2 is confidential and the spreadsheets are so marked. D.P.U. 19-07-A at 28-29. Because all the information in these Attachments/Tables will be protected from public disclosure, entities should not submit redacted versions. Entities shall provide Tables C.1, C.2, and C.3 in working Excel format. Entities shall submit the notification to the Department as an attachment to an email sent to [dpu.electricsupply@mass.gov](mailto:dpu.electricsupply@mass.gov) and [dpu.gassupply@mass.gov](mailto:dpu.gassupply@mass.gov) for the door-to-door marketing of electric and gas supply products, respectively. To allow the Department to process the notifications in an administratively efficient manner, the Department specifies that (1) the subject line of the email shall read **D2D Notice - [Company Name] - [dd/mm/yy]**<sup>8</sup> and (2) the name of the attachment shall be **D2D Notice - [Company Name] - [dd/mm/yy]**.

To facilitate exchange of protected material with the Attorney General, entities can contact that office at [Elizabeth.A.Anderson@mass.gov](mailto:Elizabeth.A.Anderson@mass.gov) and [AGEnergy@mass.gov](mailto:AGEnergy@mass.gov).

C. Identification of Third-Party Marketing Vendors<sup>9</sup>

1. Background

In D.P.U. 19-07-A at 33-36, the Department set forth an initiative that requires competitive suppliers and brokers/agents to submit to the Department an updated list of their third-party door-to-door and telemarketing vendors within ten business days of the addition or removal of a vendor.<sup>10</sup> The Department set forth the format in which entities shall provide this information in Attachment D to the Order. The Department stated that it will continue to include the identity of competitive suppliers' third-party marketing vendors as confidential material subject to protection under the Department's standing order for protective treatment pursuant to the process established in D.P.U. 14-140-G at 23-29. D.P.U. 19-07-A at 35. Subject to the execution of a non-disclosure agreement, entities are required to provide the Attorney General with an updated list concurrent with the submission of the list to the Department. Entities shall submit their vendor lists no later than August 3, 2020.

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<sup>8</sup> Company Name shall be the name of the entity that is responsible for submitting the notification; the date shall be the marketing date to which the notification applies.

<sup>9</sup> A description of this initiative, as well as the implementation details provided below, can be found on the Departments website at <https://www.mass.gov/how-to/list-of-third-party-marketing-vendors> ("List of third-party marketing vendors").

<sup>10</sup> As stated in Section II.A, above, this initiative applies initially only to third-party door-to-door and telemarketing vendors that market to residential consumers.

## 2. Implementation Details

Attachment “Third-Party Marketing Vendors” to this Hearing Officer Memorandum includes the tables that entities shall submit in compliance with this initiative: (1) Table D.1 for door-to-door marketing vendors and (2) Table D.2 for telemarketing vendors.<sup>11</sup> Attachment “Third-Party Marketing Vendors” also includes an Instruction tab that provides direction to entities regarding the information to be provided in the tables. The Department specifies that information related to background checks and standards of conduct is required only for door-to-door marketing vendors, consistent with the requirements set forth in D.P.U. 14-140-G, Attachment 1, Items 6 and 7. D.P.U. 19-07-A at 34.

The material contained in Tables D.1 and D.2 is confidential and the spreadsheets are so marked. Because all the information in these Tables will be protected from public disclosure, entities should not submit redacted versions. Entities should provide the notifications in working Excel format. Entities shall submit their door-to-door marketing notifications to the Department as attachments to emails sent to [dpu.electricsupply@mass.gov](mailto:dpu.electricsupply@mass.gov) and [dpu.gassupply@mass.gov](mailto:dpu.gassupply@mass.gov) for electric and gas, respectively. To allow the Department to process the notifications in an administratively efficient manner, the Department specifies that (1) the subject line of the email shall read **Third party vendor info - [Company Name] - [dd/mm/yy]**<sup>12</sup> and (2) the name of the attachment shall be “**Third party vendor info - [Company Name] - [dd/mm/yy]**”.

To facilitate the exchange of protected material with the Attorney General, entities can contact that office at [Elizabeth.A.Anderson@mass.gov](mailto:Elizabeth.A.Anderson@mass.gov) and [AGEnergy@mass.gov](mailto:AGEnergy@mass.gov).

### D. Disclosure of Product Information<sup>13</sup>

#### 1. Background

In D.P.U. 19-07-A at 39-52, the Department set forth an initiative that requires competitive suppliers and brokers/agents to submit a Contract Summary Form to consumers

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<sup>11</sup> The tables included in Attachment “Third-Party Marketing Vendors” contain minor non-substantive revisions to the tables included in Attachment D to the Order.

<sup>12</sup> Company Name shall be the name of the entity submitting the list; the date shall be the date on which the entity submits the email to which the list is attached.

<sup>13</sup> A description of this initiative, as well as the implementation details provided below, can be found on the Departments website at <https://www.mass.gov/guides/contract-summary-form> (“Contract summary form”).

at the point of sale.<sup>14</sup> The Department set forth the format for the Contract Summary Form in Attachment E to the Order. The Department specified the types of supply products for which entities are required to submit a Contract Summary Form for Department review. If the Department does not respond within ten business days of receiving a Contract Summary Form, the entity is permitted to use the material as submitted. This initiative applies to marketing activities that take place on or after September 8, 2020.

## 2. Implementation Details

Based on the discussion during the June 18, 2020 Zoom meeting, the Department specifies that, in identifying the “mandatory minimum renewable portfolio standard (“RPS”) compliance percentage” on the Contract Summary Form, entities shall use the percentage that applies to the calendar year in which the Contract Summary Form is provided to consumers. D.P.U. 19-07-A at 44.

Entities that are required to submit a Contract Summary Form for Department review shall submit the form as attachments to emails sent to [dpu.electricsupply@mass.gov](mailto:dpu.electricsupply@mass.gov) and [dpu.gassupply@mass.gov](mailto:dpu.gassupply@mass.gov) for electric and gas supply products, respectively. To allow the Department to process the notifications in an administratively efficient manner, the Department specifies that (1) the subject line of the email shall read **Contract Summary Form - [Company Name] - [mm/dd/yy]**<sup>15</sup> and (2) the name of the attachment shall be **Contract Summary Form - [Company Name] - [mm/dd/yy]**.

### E. Marketing Scripts<sup>16</sup>

In D.P.U. 19-07-A at 53-55, the Department set forth an initiative that specifies the scripts that marketing agents must use at the beginning of telemarketing calls and

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<sup>14</sup> As stated in Section II.A, above, this initiative applies initially only to sales to residential consumers.

<sup>15</sup> Company Name shall be the name of the entity submitting the Contract Summary Form; the date shall be the date on which the entity submits the email to which the form is attached.

<sup>16</sup> A description of this initiative can be found on the Departments website at <https://www.mass.gov/info-details/marketing-scripts> (“Marketing scripts”).

door-to-door marketing interactions.<sup>17</sup> This initiative applies to marketing activities that take place on or after August 3, 2020.

F. Recording of Telemarketing Calls<sup>18</sup>

In D.P.U. 19-07-A at 56-57, the Department set forth an initiative that requires competitive suppliers and brokers/agents 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 an enrollment.<sup>19</sup> Entities are required to retain their recordings for a minimum of two years. Based on the discussion during the June 18, 2020 Zoom meeting, the Department specifies that the two-year period starts with the date of the telemarketing call. This initiative applies to telemarketing calls made on or after August 3, 2020.

G. Review of Direct Mail Marketing Materials<sup>20</sup>

1. Background

In D.P.U. 19-07-A at 60-63, the Department set forth an initiative that requires competitive suppliers and brokers/agents to submit direct mail marketing material to the Department for review.<sup>21</sup> If the Department does not respond within ten business days of receiving a competitive supplier's direct mail marketing material, the entity is permitted to use the material as submitted. This initiative applies to direct mail marketing material that is sent to consumers on or after September 8, 2020.

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<sup>17</sup> As stated in Section II.A, above, this initiative applies initially only to telemarketing and door-to-door marketing to residential consumers.

<sup>18</sup> A description of this initiative, as well as the implementation details provided below, can also be found on the Departments website at <https://www.mass.gov/info-details/recording-of-telemarketing-calls> (“Recording of telemarketing calls”).

<sup>19</sup> As stated in Section II.A, above, this initiative applies initially only to telemarketing calls made to residential consumers.

<sup>20</sup> A description of this initiative, as well as the implementation details provided below, can also be found on the Departments website at <https://www.mass.gov/info-details/review-of-direct-mail-marketing-material> (“Review of direct mail marketing material”).

<sup>21</sup> As stated in Section II.A, above, this initiative applies initially only to direct mail marketing material sent to residential consumers.



## 2. Implementation Details

Entities shall submit their direct mail marketing materials to the Department as attachments to an email sent to [dpu.electricsupply@mass.gov](mailto:dpu.electricsupply@mass.gov) and [dpu.gassupply@mass.gov](mailto:dpu.gassupply@mass.gov) for electric and gas supply products, respectively. To allow the Department to process the notifications in an administratively efficient manner, the Department specifies that (1) the subject line of the email shall read **Direct mail marketing - [Company Name] - [dd/mm/yy]**<sup>22</sup> and (2) the name of the attachment shall be **Direct mail marketing - [Company Name] - [dd/mm/yy]**.

### H. Automatic Renewal Notifications<sup>23</sup>

#### 1. Background

In D.P.U. 19-07-A at 66-68, the Department set forth an initiative that requires competitive suppliers to provide customers with automatic renewal notifications 30 to 60 days prior to the expiration of contracts that have automatic renewal provisions.<sup>24</sup> The Department set forth the template for the automatic renewal notification in Attachment F to the Order. This initiative applies to customers whose contracts expire on or after September 8, 2020.

#### 2. Implementation details

Based on the discussion during the June 18, 2020 Zoom meeting, the Department specifies that this initiative applies to customer contracts that call for customers to receive a fixed-price product over a specified term, at the end of which a competitive supplier can automatically renew the customers to either a new fixed-price or monthly-price product. The Department further specifies that, in instances in which customers are automatically renewed to a monthly-price product, competitive suppliers are required to send the customers a single notification prior to the date of the renewal. In these instances, competitive suppliers must

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<sup>22</sup> The Company name shall be the name of the entity that is submitting the email; the date shall be the date on which the entity submits the email to which the marketing material is attached.

<sup>23</sup> A description of this initiative, as well as the implementation details provided below can be found on the Departments website at <https://www.mass.gov/info-details/automatic-renewal-notification> (“Automatic renewal notifications”).

<sup>24</sup> As stated in Section II.A, above, this initiative applies initially only to residential consumers.

identify how prices for future months will be available to customers through the competitive suppliers' websites. D.P.U. 19-07-A at 67.<sup>25</sup>

I. Automatic Renewal Reports<sup>26</sup>

1. Background

In D.P.U. 19-07-A at 71-74, the Department set forth an initiative that requires competitive suppliers to report information periodically on the residential customers they serve through automatic renewal provisions included in the customers' contracts. Competitive suppliers are required to submit a limited version of the enrollment report on August 3, 2020, and complete versions of the report semi-annually thereafter, beginning February 1, 2021. The Department set forth the format in which competitive suppliers are required to submit the automatic renewal report in Attachment G. The Department stated that it will protect from public disclosure the information included in the automatic renewal reports, consistent with the process set forth in D.P.U. 14-140-G at 23-29. D.P.U. 19-07-A at 73-74.

2. Implementation Details

Attachment "Automatic Renewal Report" to this Hearing Officer Memorandum includes the table that entities shall submit in complying with the requirements of this initiative.<sup>27</sup> Attachment "Automatic Renewal Report" also includes an Instruction tab that provides further direction to entities regarding the information to be provided in the automatic renewal report. Consistent with the discussion above regarding automatic renewal notifications, the Department specifies that automatic renewal provisions refer to provisions within customer contracts that call for customers to receive a fixed-price product over a specified term, at the end of which a competitive supplier can automatically renew the customers to either a new fixed-price or monthly-price product.

The material contained in the automatic renewal report is confidential and the spreadsheets are so marked. Because all the information in this report will be protected from

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<sup>25</sup> The Department does not specify the manner in which competitive suppliers must make future monthly prices available to customers on their websites.

<sup>26</sup> A description of this initiative, as well as the implementation details provided below, can be found on the Departments website at <https://www.mass.gov/how-to/automatic-renewal-report> ("Automatic renewal report").

<sup>27</sup> The table included in Attachment "Automatic Renewal Report " contains minor non-substantive revisions to the table included in Attachment G to the Order.

public disclosure, entities should not submit redacted versions. Entities must provide the automatic renewal report in working Excel format. Competitive suppliers shall submit their automatic renewal reports to the Department as attachments to emails sent to [dpu.electricsupply@mass.gov](mailto:dpu.electricsupply@mass.gov) and [dpu.gassupply@mass.gov](mailto:dpu.gassupply@mass.gov) for electric and gas competitive suppliers, respectively. To allow the Department to process the reports in an administratively efficient manner, the Department specifies that (1) the subject line of the email shall read **Automatic renewal report - [Company Name] - [dd/mm/yy]**<sup>28</sup> and (2) the name of the attachment shall be **Automatic renewal report - [Company Name] - [dd/mm/yy]**.

J. Enrollment Reports<sup>29</sup>

1. Background

In D.P.U. 19-07-A at 77-80, the Department set forth an initiative that requires competitive suppliers to periodically report information on the residential customers they are serving, and the marketing channels through which they enrolled their customers. Competitive suppliers are required to submit a limited version of the enrollment report no later than August 3, 2020, and complete versions of the enrollment report semi-annually thereafter, beginning February 1, 2021. The Department set forth the format in which competitive suppliers are required to submit the enrollment report in Attachment H to the Order. The Department stated that it will protect from public disclosure the information included in the enrollment reports, consistent with the process set forth in D.P.U. 14-140-G at 23-29. D.P.U. 19-07-A at 80.

2. Implementation Details

Attachment “Enrollment Report” to this Hearing Officer Memorandum includes the table that competitive suppliers shall use in complying with the requirements of this initiative.<sup>30</sup> Attachment “Enrollment Report” also includes an Instruction tab that provides further direction to competitive suppliers regarding the information to be provided in the

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<sup>28</sup> Company Name shall be the name of the competitive supplier that is submitting the automatic renewal report; the date shall be the date on which the competitive supplier submits the email to which the report is attached.

<sup>29</sup> A description of this initiative, as well as the implementation details provided below, can be found on the Departments website at <https://www.mass.gov/how-to/customer-enrollment-report> (“Customer enrollment report”).

<sup>30</sup> The table included in Attachment “Enrollment Report” contains minor non-substantive revisions to the table included in Attachment H to the Order.

tables. Based on the discussion during the June 18, 2020 Zoom meeting, the Department specifies that competitive suppliers shall identify the number of low-income customers they are serving based on the information provided by the electric and gas distribution companies through the electronic business transactions process. Determination of the number of low-income customers served on the last day of the specified report period shall be based on the information included in the electronic business transactions for the billing cycles that include the last day of the report period, while determination of the number of low-income customers enrolled during the report period shall be based on the information included in the electronic business transactions that confirm the customer enrollment.

The material contained in the automatic renewal report is confidential and the spreadsheets are so marked. Because all the information in this report will be protected from public disclosure, entities should not submit redacted versions. Entities must provide their enrollment reports in working Excel format. Entities shall submit the enrollment reports to the Department as attachments to emails sent to [dpu.electricsupply@mass.gov](mailto:dpu.electricsupply@mass.gov) and [dpu.gassupply@mass.gov](mailto:dpu.gassupply@mass.gov) for electric and gas competitive suppliers, respectively. To allow the Department to process the reports in an administratively efficient manner, the Department specifies that (1) the subject line of the email shall read **Enrollment Report - [Company Name] - [dd/mm/yy]**<sup>31</sup> and (2) the name of the attachment shall be **Enrollment Report - [Company Name] - [dd/mm/yy]**.

K. Energy Switch Website

1. Background

In D.P.U. 19-07-A at 85-91, the Department set forth an initiative that allows municipal aggregators to display municipal aggregation products on the Website. The Department is working with our Website vendor to implement the changes required to incorporate the display of municipal aggregation products. The Department will notify stakeholders once municipal aggregation products can start being listed and will issue revised website rules at that time.

2. Implementation Details

Municipal aggregators that seek to display their municipal aggregation products on the Website must provide the following information via the online form available at [Register to display products on Energy Switch MA](#): (1) contact information; (2) municipality name; (3) the name of the aggregation program (e.g., Ashland Community Choice Power Supply

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<sup>31</sup> Company Name shall be the name of the competitive supplier that is submitting the enrollment report; the date shall be the date on which the competitive supplier submits the email to which the report is attached.

Program); (4) a list of all of the 5-digit zip codes where the product will be offered; and (5) if a contact is an aggregation consultant or competitive supplier, a letter on the municipality's letterhead granting the aggregation consultant or competitive supplier authority to display the municipality's municipal aggregation products on the Website. Municipal aggregators may submit this form starting immediately.

### III. ISSUES FOR FURTHER DISCUSSION

In D.P.U. 19-07-A, the Department stated that we will work with stakeholders, through the D.P.U. 19-07 stakeholder process, to explore the following issues related to the Tier One initiatives set forth in the Order:

- Public access to information on licensed entities. D.P.U. 19-07-A at 13.
- Application of the door-to-door marketing notification five-municipality limit on a regional or vendor basis. D.P.U. 19-07-A at 23.
- Application of the door-to-door marketing notification neighborhood requirement to municipalities other than Boston. D.P.U. 19-07-A at 24.
- Notification of municipal officials of upcoming door-to-door marketing activities in their municipalities. D.P.U. 19-07-A at 25.
- Presentation of basic/default service prices on the Contract Summary Form. D.P.U. 19-07-A at 49.
- Presentation of products' renewable energy content on the Contract Summary Form, in direct mail marketing materials, and on the Website. D.P.U. 19-07-A at 44, 62, 89.
- Department access to recordings of telemarketing calls. D.P.U. 19-07-A at 57.
- Attorney General access to direct mail marketing. D.P.U. 19-07-A at 63.

On August 6, 2020, from 1:30 to 4:00 pm the Department will convene a Zoom meeting with stakeholders to discuss these issues. In addition, the Department will discuss (1) the definition of small C&I consumers as it applies to the initiatives set forth in D.P.U. 19-07-A (Section II.A, above) and (2) the display of municipal aggregation products on the Website. The Department will provide additional information to stakeholders prior to the meeting.