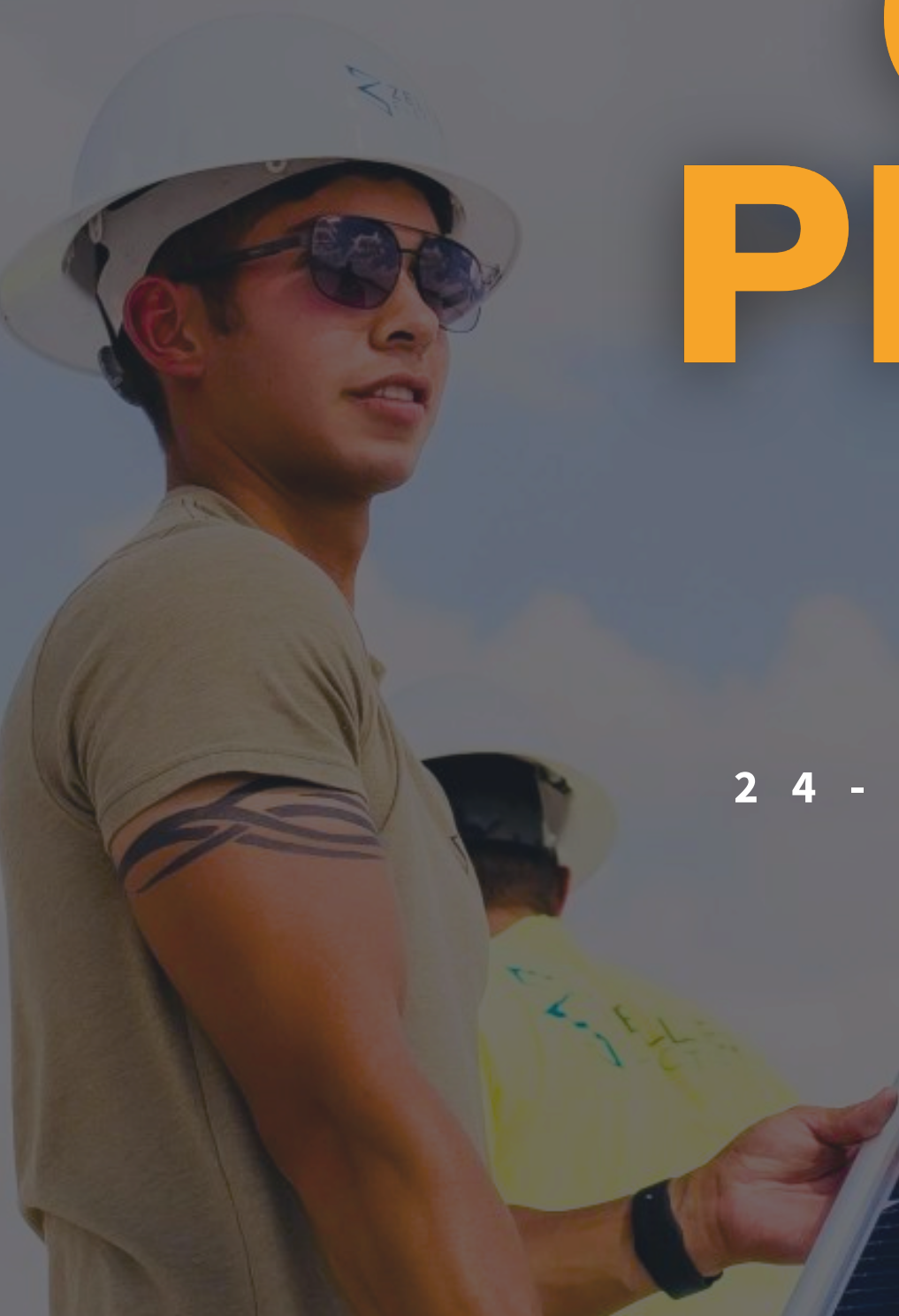


CONSUMER PROTECTIONS TRAINING



2 4 - 2 5 I L L I N O I S S H I N E S P R O G R A M Y E A R



OVERVIEW

IPA Consumer Protections

The Illinois Power Agency and Program Administrator take consumer protection very seriously, and the Program includes various requirements with which Approved Vendors and Designees must comply to ensure consumers are protected.

In this training, we will go over all of the necessary information to ensure Halo Solar and all of our Designees are in compliance with the Program's Consumer Protections requirements.



PROGRAM OVERVIEW

FEJA 2016

- 100% renewable energy by 2050

CEJA 2021

- Expansion of program
- Focus on equity

RECs

- Program provides incentives through purchase of Renewable Energy Credits (RECs)

Illinois Shines is helping the state source renewable energy and reach the following targets

40% by 2030

50% by 2040

100% by 2050



1,000 kWh you produce

=



1 SREC

HOW IT WORKS

- Price of RECs set each Program Year
- 6 Project Categories

Approved Vendors and Designees

- qualified to perform work with the Program
- submit project applications to be approved
- work with contracting utility to pass along savings to customers



**SMALL
DISTRIBUTED
GENERATION**



**LARGE
DISTRIBUTED
GENERATION**



**TRADITIONAL
COMMUNITY
SOLAR**



**COMMUNITY-
DRIVEN
COMMUNITY
SOLAR**



**PUBLIC
SCHOOLS**



**EQUITY
ELIGIBLE
CONTRACTOR
(EEC)**

GENERAL REQUIREMENTS

Approved Vendors and Designees shall not engage in any unfair or abusive practices in relation to their involvement with the Program.

An act or practice is unfair if:

- it causes substantial injury to consumers
- the injury is not reasonably avoidable by consumers
- the injury is not outweighed by countervailing benefits to consumers or competition

An act or practice is abusive if:

- It materially interferes with the ability of a consumer to understand a term or condition of the offer or contract; or
- It takes unreasonable advantage of (1) a customer's lack of understanding of risks, costs, or conditions of the offer or contract or (2) the inability of the consumer to protect their interests in accepting an offer.





STATEMENTS ABOUT RECS

Approved Vendors and Designees must accurately portray the nature of solar power, RECs, and the IL Shines Program. Because the RECs from the project are transferred to a utility or to the IPA, we may not claim that the customer is using clean/ renewable energy.

Unacceptable claims related to the energy produced by Program projects:

- "Your home will run on cleaner, greener energy"
- "The sun will provide your electricity"

Acceptable claims related to the energy produced by Program projects:

- "The RECs of this electricity will be sold by us to keep the cost of your panels affordable."
- "Your solar project will create energy from the sun."
- "Your solar project will contribute to the development of new solar power."
- "Go green and support the installation of solar in Illinois."

STATEMENTS ABOUT SAVINGS

General Requirements

Approved Vendors and Designees must...

- accurately portray anticipated costs and savings
- ensure all terms and values in marketing materials are consistent with terms and values in Standard Disclosure Forms and customer contracts
- all marketing materials explain that the customer will remain a utility customer
- stay up to date on available capacity and inform customers if they will be on a waitlist
- NOT make statements claiming customers will eliminate their utility bill
- NOT make claims that an offer is “free” unless a customer is guaranteed to not have any financial obligation for the project

Unacceptable statement examples:

- “Eliminate your electricity bill”
- “Fire your utility”
- “No more utility bills”
- “Your electric bill will be reduced to \$0”



STATEMENTS ABOUT SAVINGS

Savings Claims for Illinois Shines

Approved Vendors and Designees may not claim that customers are guaranteed to save money unless it is listed in the customer's contract.

The following statements must be supported by an explicit savings guarantee in the customer's contract:

- "You are guaranteed to save money"
- "You will save (x) % on your utility bill"

Approved Vendors and Designees may make general claims about customer savings that do not include an explicit guarantee.

Acceptable Claims:

- "Lower/ reduce your electricity bill"
- "Save money by going solar"



REPRESENTATIONS ABOUT IDENTITY AND AFFILIATES

Approved Vendors and Designees must accurately portray their identities and affiliations.

Unless true and verifiable, an Approved Vendor or Designee shall not represent, make claims, or create the impression that they are affiliated with, endorsed by, or acting on behalf of:

- any governmental body - including the State of Illinois
- government programs - including the ICC, IPA, ABP, and Illinois Shines
- regulated or municipal utility
- electric cooperative or
- consumer group
- an Equity Eligible Contractor*





Halo Solar LLC #D2253, AV #2131

LOGOS

An AV or Designee may state the fact that it is (or is working with) an Approved Vendor under the IPA's Illinois Shines Program and may use the logo here. **This logo may NOT be modified.**

Unless describing service territory or referencing net metering, AVs and Designees shall not use a utility name or logo in marketing materials unless it has been approved by the Program Administrator.

TESTIMONIALS

AVs and Designees may use testimonials if they follow these requirements:

- The testimonial must be provided by an actual customer
- It must include a disclaimer that individual customers' experiences may differ
- If the customer received payment to provide the testimony, it must include a disclaimer stating that the customer received payment or incentive
- Shall not make false claims, promise savings, or violate any other requirements in this presentation
- If the customer is from outside of Illinois, the testimonial must clearly state the location of their experience



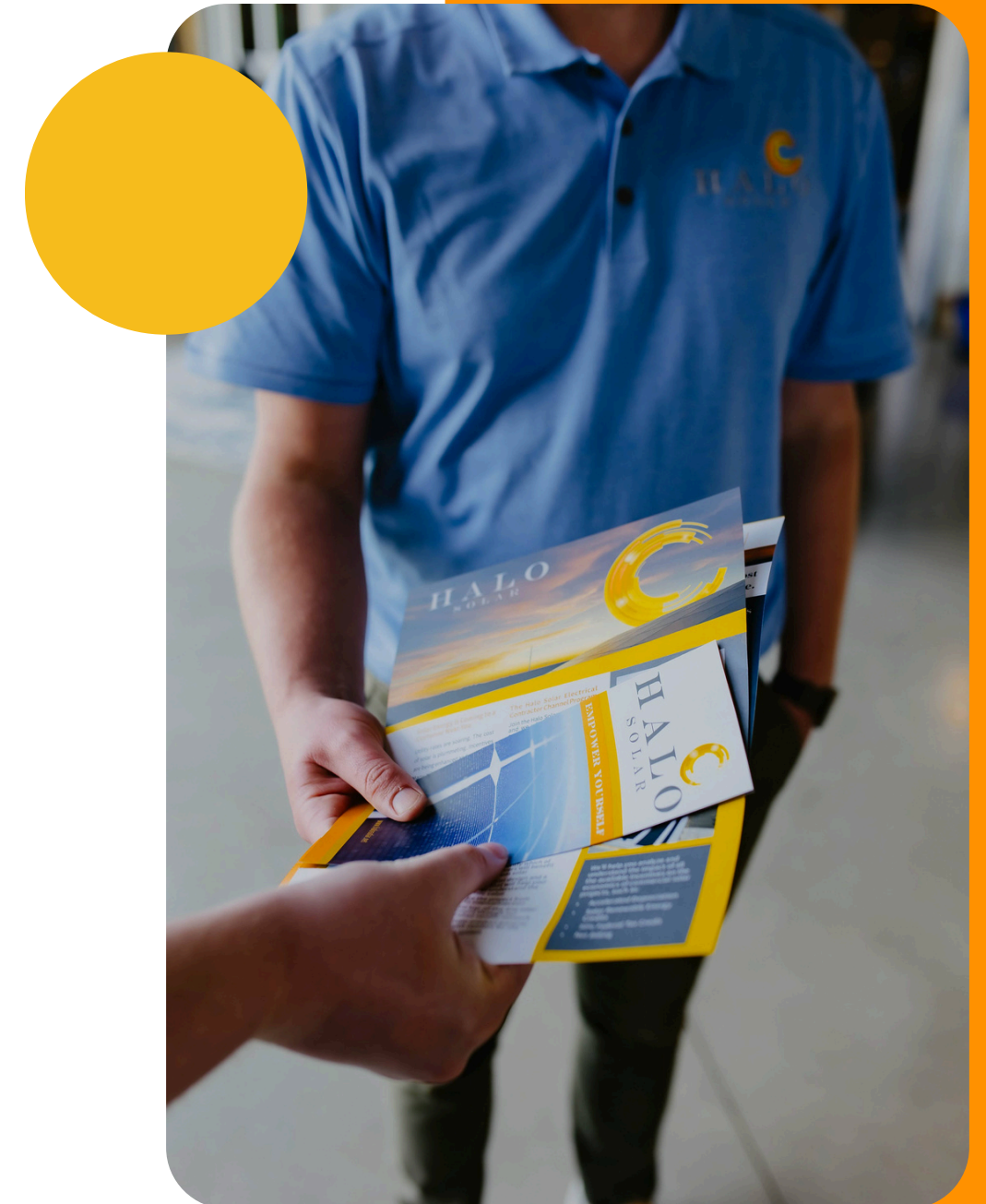
MARKETING REQUIREMENTS

General Requirements

The following items must be clearly communicated in all telemarketing, direct mail, and online marketing:

- The identity of the entity making the offer, and the name of the AV
- The AV, Designee, or marketing entity is not affiliated with a utility
- The offer is not affiliated with a utility or utility program
- The customer would still be responsible for a utility bill

Any individual representative that interacts with customers must, at the customer's request, provide phone numbers for billing questions, disputes and complaints, and the Program Administrator.



MARKETING REQUIREMENTS

In-Person Marketing

All AVs and Designees must follow the following requirements when conducting in-person marketing:

- State the name of the company they represent
- Identify the name of the Approved Vendor for which they represent
- State that we are not representing, endorsed by, or acting on behalf of a government body or program, utility, electric co-op, or consumer group
- Shall NOT conduct any solicitations at buildings where a sign is posted that prohibits solicitation
- **Display identification on an outer garment that displays the following: full name, agent ID number, photograph of agent, and name and logo of the company**
- **All employees engaged in in-person solicitation must have a background check performed on them**
- Shall NOT conduct in-person solicitation before 9am or after 7pm, unless pre-arranged
- Must obtain consent to enter multi-unit residential dwellings



MARKETING REQUIREMENTS

Telemarketing

All AVs and Designees must comply with all laws regarding restrictions on contacting customers. This included provisions related to:

- prohibitions against automatically dialed calls to cell phones
- call time restrictions (9am-9pm M-Sat, 12pm-9am Sun)
- call curfews and banning calls to customers on statutory holidays or during declared state of emergency
- not autodialing or texting wireless numbers without written consent
- limitations on the length of time callers may allow phone to ring
- if using automated or prerecorded messages, ensuring compliant opt-out mechanisms are available

At the beginning of every outbound telemarketing call, the sales agent must provide their name and unique ID number, the company they represent, and whether the company is an AV or designee.



MARKETING REQUIREMENTS

Telemarketing Cont.

An AV or Designee must retain call logs for all outgoing marketing or solicitation calls for at least 2 years.

The call log must contain:

- date
- telephone number called
- length of the call
- whether it resulted in the acceptance of the offer

AVs and Designees must maintain an accurate and current “do-not-contact” list of customers that do not wish to be contacted, and prohibit contact unless the customer initiates contact in the future.



MARKETING REQUIREMENTS

Online Marketing, Email, and Social Media

All Approved Vendors and Designees must:

- comply with all federal, state, and local laws relating to contacting customers via email - **including opt-out provisions**
- ensure that all content identifies the AV providing the offer (i.e. Halo)
- NOT offer anything that is “free” or “no cost” unless the offer is guaranteed to all customers



MARKETING REQUIREMENTS

Language Used in Solicitations

If it becomes apparent that a customer's English language skills are insufficient to allow the customer to understand and respond to the information conveyed, all we must:

- find a representative that is fluent in the customer's language or use an interpreter if necessary
- provide all written marketing materials in the language requested by the customer.

If any of these requirements cannot be achieved, the solicitation must be terminated immediately.



DISCLOSURE AND CONTRACT EXECUTION

General Requirements

An AV that markets a system must design the solar project, taking into consideration the site's azimuth, orientation, and shading, before beginning the following steps in the listed order:

1. **Review the Informational Brochure and completed Disclosure Form with the customer and allow for questions**
2. Customer signs the Disclosure Form - customer must be the holder of the relevant utility account
3. **Review the Going Solar flyer with the customer**
4. Present the customer contract for execution
5. **Provide the customer a copy (either digital or hard copy) of the signed Disclosure Form, customer contract, and any other contracts that the customer signed as part of the accepting offer**



SUBSTANTIVE REQUIREMENTS

For Distributive Generation Projects in Municipal Utility and Rural Electric Co-op Territories

AVs and Designees may offer installation contracts for DG projects that are not eligible for net metering credits. In this case, follow the steps below:

- ensure that the customer understand they are not eligible for net metering based on their utility provider
- **the customer must sign the Net Metering Unavailability Custom Acknowledgment Form before signing the installation contract**
- The AV or Designee must submit the completed acknowledgment form to the Program Admin before submitting the part 1 application



SUBSTANTIVE REQUIREMENTS

DG Projects where a REC incentive is passed to the customer

For DG contracts that include a direct payment by the AV to a customer that passes through some or all of the value of the REC payments, the AV must follow the following requirements:

- submit the invoice for the REC incentive payment in a timely fashion
- make payments to the customer in a timely fashion, consistent with the customer's contract
- may not use the customer's portion of the REC incentive to meet other financial obligations



SALES AGENT TRAINING

AVs and Designees must ensure that all individual representatives engaging in any sales with customers receive training **every six months** that covers applicable marketing requirements and relevant aspects of the Program.

At the end of this training, please fill out and return the certificate of completion to Emily Schirmacher - eschirmacher@halosolar.net



ASSOCIATION WITH ALTERNATIVE RETAIL ELECTRIC SUPPLIERS

AVs and Designees shall not require that any customer sign up for service from an Alternative Retail Electric Supplier.

Utility account numbers may be collected, however, they must be deleted or destroyed as soon as possible if the customer has decided not to contract with the AV or Designee.



RECORDS

When handling customer records, and AV or Designee must:

- retain each customer contract for at least 15 years and 6 months after the energization of the system OR at least 6 months after the duration of the lease, PPA, subscription, or any warranties.
- freely provide a customer a copy of their contract is requested
- provide a complete list of agent names and ID numbers if requested by the Program Administrator
- expressly designate any commercially sensitive information as “confidential proprietary” to maximize the likelihood that this information is protected from disclosure by a reviewing body



CUSTOMER COMPLAINTS AND DESIGNEE MANAGEMENT

Customers may file complaints by:

- using the webform on the IL Shines website
- calling 877-708-3456
- emailing info@illinoisSFA.com

AVs are responsible for creating a Designee Management Plan that is reviewed and updated annually.



PROCESS FOR CONSUMER PROTECTIONS VIOLATIONS

If an AV or Designee is not compliant with consumer protections, the Program admin will send a Notice of Potential Violation.

The entity has 5 days to respond and the Program Admin may contact customers to understand the breadth of a potential disciplinary issue.

If an AV or Designee is not responsive, the Program Admin can limit their functions and if they determine there have been violations, they will follow the **Program Violation Response Matrix** to determine the disciplinary actions.

An AV or Designee has 2 weeks after the determination to send an appeal

If an AV or Designee receives a warning letter, is suspended, or has their status revoked, this will be published on the website.



DESIGNEE MANAGEMENT AND MES COMPLIANCE

TRAINING FOR ILLINOIS SHINES

DESIGNEE ENROLLMENT

All subcontractors that we work with that will interact with end-use customers must be a Designee or Approved Vendor in the IL Shines Program.

To become a Designee, we must provide the contractor with:

- Designee Request Form for them to fill out
- Illinois Secretary of State Statement of Good Standing dated within the past 12 months*
- Consumer Protections training materials
- Education and guidance on MES compliance



*NEW*DESIGNEE AGREEMENT

In order to better set expectations for our Designees, we now have an IL Shines Designee contract that every Designee must sign **before** performing work with Halo.

Important items to note in the contract:

- Must provide post-job info to PMs within 1 week of project completion
- Must have 1 IL Shines “expert” that completes training once per year
- Put forth best effort towards meeting MES
- Any marketing materials mentioning Halo or IL Shines must be pre-approved
- Must respond to Halo communication within 1 week



MES REQUIREMENTS

Beginning in the 2023-2024 Illinois Shines Program year, each participating Designee and AV must have a **10% minimum percentage** of their project workforce consist of Equity Eligible Persons (EEPs).

This requirement will change over time:

- 10% in 2023-2024
- 12% in 2024-2025
- 30% by 2030

To determine whether you have met MES requirements, we will conduct this calculation:

$$\frac{\text{Number of EEPs in our workforce}}{\text{Size of the relevant project workforce}}$$



WHO ARE EEPS AND EECS?

The IPA defines an **Equity Eligible Person (EEP)** as:

- Graduates or current or former participants in the various FEJA and CEJA training programs
- Persons who are graduates of or currently enrolled in the foster care system
- Persons who were formerly incarcerated
- Persons whose primary residence is in an equity eligible investment community.

Equity Eligible Contractor (EEC): A business that is majority-owned by eligible persons, or a nonprofit or cooperative that is majority-governed by eligible persons, or is a natural person that is an eligible person offering personal services as an independent contractor.



WORKING WITH EECS

An AV or Designee may not meet the MES solely through contracting with an EEC that makes up at least 10% of the overall project workforce.

The Agency will count Equity Eligible Persons employed by an EEC-certified contractor or subcontractor, including the Equity Eligible Person majority owner, **1.5 times in calculating compliance with the MES.**



PROJECT WORKFORCE

The project workforce includes:

- all employees
- contractors and their employees
- and subcontractors and their employees

whose job duties are directly required by or substantially related to the development, construction, and operation of a project that is participating in Illinois Shines program.



COMPLIANCE PLAN AND REPORTS

Each year, our Designees will need to complete the following:

- MES Compliance Plan
- Mid-Year Tracking Review
- End-of-Year Report
- *Waiver Request



ENFORCEMENT

Non-Compliance of the MES may lead to disciplinary consequences, including, but not limited to:

- suspension of the entity's ability to submit project applications to IPA programs for the remainder of the program year
- repeated violations couple result in suspension for an entire delivery year



PAPERWORK REVIEW



TRAINING FOR ILLINOIS SHINES



SIGNING PAPERWORK

When you are signing a new customer, you must get the following documents signed in this order:

- Disclosure form
- Halo Contract
- AV Contract
- Schedule A
- *Unavailability Net Metering Form*

