

## Geronimo Energy Comments on IPA draft marketing guidelines/brochure

**Overall comment:** Geronimo would like the IPA to make it known that these guidelines are for residential customers only and *not* commercial customers. Residential and commercial sales cycles are very different, and as such, should not have the same guidelines/requirements. Typically, a commercial sales cycle is much longer in length and takes considerably more time, meetings and involvement from stakeholders on both the buyer's and the seller's sides. Strenuous requirements/guidelines such as those described by the IPA would be unnecessarily burdensome on commercial sales cycles and customers. On the webinar that occurred Friday, November 30<sup>th</sup>, it was stated that these guidelines are for subscriptions less than 25kW. This needs to be made abundantly clear on the documents themselves (marketing guidelines, brand guidelines, etc).

### #1

**Guideline Reference:** Sections 2av and 2bv state the ABP will be issuing consumer-facing branding in the future, and the marketing guidelines will be updated to reflect that brand's usage guidelines.

**Concern:** Brand guidelines are not finalized and issued with the final marketing guidelines, potentially incurring added cost to reprint or redistribute materials, as well as contribute to consumer confusion.

**Suggested Edit:** We suggest that the brand guidelines be finalized and issued as part of the final marketing guidelines. Issuance of both guidelines simultaneously will create the most comprehensive and compliant materials and will avoid potential duplication of costs and consumer confusion.

### #2

**Guideline Reference:** On page 3 of the IPA guidelines, in section 3a, the IPA provides language regarding the relationship between the Approved Vendor and the IPA and other organizations.

**Concern:** While we agree with the intent of this section, the call to action is not clear and needs to be made so.

**Suggested Edit:** In other states/community solar programs, program owners/operators have provided exact wording that must be included on all marketing literature, including parameters regarding the statement's font size, type and color. We suggest the IPA take the same action and create a 1-2 sentence statement that clearly outlines the relationship (or lack thereof) between the IPA and the Approved Vendor that Approved Vendors can simply copy-paste onto their marketing literature and as such, would be in compliance with this guideline. An example statement might be: "[Company Name] is not employed by, representing, endorsed by, or acting on behalf of a utility or a utility program, a consumer group or consumer group program, or a governmental body, except in those cases where the Approved Vendor is a consumer group or governmental body."

### #3

**Guideline Reference:** On page 3 of the IPA guidelines, in section 3bi - ili, the IPA states: "An Approved Vendor shall not use the name, or any other identifying insignia, graphics or wording that has been used at any time to represent a public utility company, the ICC, or the IPA, or their services, to identify, label or define any of its offers."

**Concern:** While we understand the intent of this statement, the statement as written would prohibit Approved Vendors from referencing and even naming the program in which these projects will participate. Further, there isn't clarity regarding if an Approved Vendor may link back or refer to the IPA's, ICC's, or utility's website, which could offer customers additional clarity regarding what the program is, who is operating it and how the program works. Additionally, just due to the nature of the program and subsequent eligibility, Approved Vendors will need to reference utility names to make it clear as to what customers are eligible to participate in the program.

**Suggested Edit:** We suggest limiting this statement to the restricted use of IPA, ICC or utility logos. We understand that corporate logos cannot/should not be used by outside parties, but to not allow Approved Vendors to even name the IPA, the ICC or the utilities would mean we aren't able to fully describe what we are doing, and we fear it will appear disingenuous to customers. Approved Vendors should be allowed (and encouraged) to state that the projects they are developing are a part of the IPA's ABP and explain how that program works. This guideline would prohibit that and should be struck.

#### #4

**Guideline Reference:** The IPA guidelines require Approved Vendors to provide a copy (hard copy and/or digital) of the IPA brochure to customers in addition to the Approved Vendors' marketing materials multiple times throughout the sales process.

**Concern:**

1. The responsibility of ensuring that the IPA brochure is the most current version of the IPA brochure should not fall upon Approved Vendors.
2. Not only is providing the brochure multiple times repetitive and burdensome, but it also waters down the importance of the content within the brochure and may end up being ignored by the customer.
3. Requiring a customer or potential customer to sign a document upon first contact will result in distrust of the program. If Vendors are required to ask for a signature from consumers that they received the IPA brochure upon first contact, consumers will likely respond negatively and will be less receptive to the program and to a subscription and will be suspect of the Vendor and the IPA.
4. For companies who operate primarily online (such as some ARES or similar groups) and/or purchase energy in bulk on behalf customers, this becomes an impossible task.
5. Further, providing additional literature in print will greatly increase print and postage costs for Approved Vendors.

**Suggested Edit:** We suggest the IPA provide their brochure on a publicly available webpage, and instead of providing digital documents or hard copies of the brochure, Approved Vendors may instead provide the link to the IPA brochure on all marketing literature (both print and digital). This would ensure that customers are always viewing the latest version of the IPA brochure and would appropriately place responsibility on the IPA for maintaining the most current version of its brochure for both Approved Vendors and customers to view. Additionally, providing a link on both digital and printed marketing literature would ensure that the IPA brochure is constantly available to the customer to review, thereby negating the need for multiple presentations of the same document. It is preferable to simply link back out to an IPA-managed URL in order to ensure we provide the most current version of the brochure and

up to date information about the program. Further, we suggest only requiring signature that the consumer received the IPA brochure as part of the contract execution process and removing the requirement that the consumer sign upon first contact.

## #5

**Guideline Reference:** Section 9B requires that phone calls be recorded and saved.

**Concern:** The implementation of a system to record and store telephone calls can be cost-prohibitive.

**Suggested Edit:** Geronimo suggests removing this requirement entirely. Approved Vendors who self-perform and who do not have such a recording and storage system in place would be unnecessarily burdened by this request. Further, it is not clear which calls need to be recorded and stored. For example, all sales calls? All marketing calls? What if a consumer calls the accounting or administrative team?

## #6

**Guideline Reference:** As currently written, the guidelines require an Approved Vendor to have two distinct and unique points of contact/meetings with a customer prior to contract execution. It appears to be against the guidelines to sign a contract during a first meeting or point of contact with a customer.

**Concern:** If a customer is educated and wants to sign a contract during the first meeting, it is detrimental to force them to make time to meet with the Approved Vendor a second time purely to comply with the guidelines.

**Suggested Edit:** Allow customers the right to decide for themselves when they are ready to execute a contract. The IPA and the Approved Vendor should not govern a customer's decision-making process. If a customer is ready to sign during the first point of contact (whether that is online, over the phone, in person or otherwise), they should be able to sign.

## #7

**Guideline Reference:** The Disclosure Form as written appears to simply be a mirror or duplicate subscription agreement.

**Concern:** This is duplicative and costly. It could also be confusing for customers.

**Suggested Edit:** Geronimo suggests focusing the content of the Disclosure Form on the program, possible risks, a list of what developers/operators should be disclosing, and then require proof of the customer's understanding of program via signature of receipt. The Disclosure Form should be less about project specifics, financials, and developer/operator details, since this content is in the subscription agreement already.

## #8

**Guideline Reference:** Currently, the guidelines require Approved Vendors create unique subscription agreements AND disclosures for every customer.

**Concern:** From an administrative and cost perspective, it will be very burdensome for Approved Vendors to create unique subscriptions and disclosures for each and every customer.

**Suggested Edit:** Geronimo suggests that the completed Disclosure Form is uniform for all subscribers. See #7 referenced above – if the content of the Disclosure Form is revised to include only information about the program and is not a repetition of the subscription agreement, this is easily achievable.