



Request for Comments – Adjustable Block Program Publishing of Consumer Complaints September 4, 2019

The Program Administrator is issuing this Request for Comments to solicit stakeholder feedback on the process of publishing consumer complaints that are made to the Program Administrator in connection with the Adjustable Block Program, concerning the conduct of Approved Vendors and their designees, agents, and others operating on their behalf. If determined to be an appropriate next step (based, in part, on feedback received through this comment process), the Program Administrator intends to launch a public database of complaints later this fall.

Because complaints received by the Program Administrator about Approved Vendors/Designees are vital to customers who are seeking an Approved Vendor/Designee to work with, a complaint database will help ensure the Program is as transparent as possible regarding complaints received. This information may also benefit Approved Vendors or Designees seeking to partner with another Approved Vendor/Designee by understanding which entities may be the focus of numerous complaints.

Section 6.13.3 of the IPA's Long-Term Renewable Resources Procurement Plan describes the Agency's intent to maintain a public database of complaints (text excerpted below, bolding has been added). The Program Administrator is specifically interested in gathering information on the questions listed below, but stakeholders are welcome to provide comments on any topics related to the publishing of consumer complaints. Stakeholders should feel free to provide answers only on those questions specifically of interest to them.

Section 6.13.3. Monitoring of Consumer Complaints

The Program Administrator will provide consumer protection materials on a program website and through printed materials. The Program Administrator will also provide a toll-free consumer protection hotline and email address, and they will receive, respond to, and document complaints about marketing practices, sales practices, installations, and other aspects of solar marketing. If warranted, the Program Administrator will refer complaints to the Agency and to appropriate state and federal agencies, including the Consumer Protection Division of the Illinois Attorney General's Office, or the Illinois Commerce Commission (e.g., for failure of installers to maintain their status as Certified Distributed Generation Installers). **To the extent feasible, the Agency will work with its Program Administrator to maintain a public database of complaints (with any confidential or particularly sensitive information redacted from public entries).** Approved Vendors found by the Agency to have violated consumer protection standards may be subject, at minimum, to suspension or revocation of their Approved Vendor status by the Agency, and if in violation of local, state, or federal law, also potential civil or criminal penalties from other relevant authorities. The Agency will provide an annual written report to the Commission documenting the frequency and nature of complaints, and any enforcement actions taken.

Specific Questions for Stakeholder Feedback

- What information should be published regarding complaints received (i.e. Approved Vendor/Designee name, nature of the complaint, time and date of receipt of complaint, resolution of the complaint, identity or role of the complainant, etc.)?
- Should complaints be published when received (and thus not reviewed), or only after the complaint has been investigated (and responsive actions taken by the Program Administrator, if warranted)?
- Should complaints only be published from customers? Or should competitors be allowed to report on the misconduct of other Approved Vendors/designees?
- Should Approved Vendors (and/or their designees) be allowed to provide a response to be included in the public database?
- What information about a complaint would be appropriate to redact or withhold from disclosure?
- Are there other complaint databases which the Program Administrator should look to as models in publishing complaint information for the Adjustable Block Program?
- Should the Program Administrator look to work with the Office of the Attorney General, the Illinois Commerce Commission, Citizens Utility Board, and other entities in attempting to create a more comprehensive database? Or only disclose those items brought directly to its attention?
- Are there specific risks which the Program Administrator and IPA should be mindful of in developing and publishing a complaint database?
- Should this database be located at the Adjustable Block Program website, the IllinoisShines.com website, or both?

How to Respond

Please submit responses to this Request for Comments by September 18, 2019 by e-mail to admin@illinoisabp.com. Responses will be posted on the Adjustable Block Program website (<http://illinoisabp.com/>), with respondent names included. Parties may designate portions of their responses as confidential; if so doing, please provide both a public and redacted version, along with a request for confidential treatment. You may only designate portions of your comments as confidential, not the entire document.