



**THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES**

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NOTICE

TO: MASSACHUSETTS COMPETITIVE ELECTRIC SUPPLIERS

RE: DECEPTIVE TELEMARKETING CAMPAIGN

DATE: FEBRUARY 28, 2020

The Department of Public Utilities (“Department”) has been made aware of misleading and deceptive telemarketing calls to residential electricity consumers in the Commonwealth on behalf of licensed competitive suppliers. These calls begin with a pre-recorded message that states that, as a customer of the specified electric distribution company (i.e., Eversource, National Grid, Unitil), the consumer is eligible to receive a 30 percent discount from his/her current monthly electric bill. In some instances, the automated message states that the consumer has been overcharged on previous bills. The pre-recorded message call informs the consumer to “press 1” to find out more about the offer, at which point the consumer is transferred to a live agent. At no point during the message is the name of the competitive supplier identified. The live agent subsequently informs the consumer that, by switching to the unidentified competitive supplier, the consumer can avoid paying charges mandated by statute (e.g., customer, transmission, and renewable energy charges that currently appear on the monthly bill).

These calls are unacceptable. The Department seeks to take all reasonable steps to identify the competitive supplier(s) on whose behalf these calls are being made. We are doing so to avoid having to take other action, which could impact all suppliers. As an initial step in this matter, the Department directs all competitive suppliers that have conducted telemarketing campaigns during 2020 to provide the following information:

- (1) the name of each third-party vendor that conducted telemarketing on behalf of the competitive supplier during 2020, and for each vendor, all subcontractors that the vendor may have employed for the purpose of such telemarketing; and
- (2) a statement that the competitive supplier has contacted each of the vendors identified in (1), and that the vendor attested to the supplier that neither the vendor nor any subcontractors engaged in the types of telemarketing calls described above.

Competitive suppliers should provide this information via email to Gregory Wade at Greggory.Wade@mass.gov by 5 PM on March 13, 2020. Please note that the Department may request additional information at a later date.

The Department holds competitive suppliers responsible for the actions of their third-party marketing vendors. Any competitive supplier on whose behalf a vendor engaged in misleading and deceptive telemarketing calls may be subject to licensure action pursuant to 220 CMR 11.07 and the procedures established in Investigation by the Department of Public Utilities on its own Motion to Establish Interim Guidelines for Competitive Supply Formal Investigations and Proceedings, D.P.U. 16-156-A, Att. A (2017). Thank you for your attention on this matter.

By the Commission,

/s/
Matthew H. Nelson, Chair

/s/
Robert E. Hayden, Commissioner

/s/
Cecile M. Fraser, Commissioner