



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

Informal Remedial Plan

Between the Delegated Commissioner of the Department of Public Utilities and

SFE Energy Massachusetts, Inc. - CS 119

Pursuant to the Department of Public Utilities' ("Department") Interim Guidelines for Competitive Supply Investigation and Proceedings, the Department and SFE Energy Massachusetts, Inc. - CS 119 ("Company") agree to the following Informal Remedial Plan ("Plan"). Order Establishing Final Interim Guidelines for Competitive Supply Investigations and Proceedings, D.P.U. 16-156-A (2017), Attachment A, Section 3(5). This Plan results from an informal review that the Delegated Commissioner¹ initiated on November 9, 2020, to investigate a consumer complaint filed with the Department's Consumer Division on July 27, 2020. The Plan provisions set forth below establish requirements for the Company, which are intended to resolve issues raised by the July 27, 2020 consumer complaint.

The Company agrees to the following provisions:

1. During a TPV call and telemarketing call, if the electric competitive supply product has a monthly fee, the Company shall not refer to the fee as a "customer charge," which may cause confusion with the distribution company's "customer charge." The Company may use a different term, such as a "monthly fee."
2. During a third-party verification ("TPV") call and telemarketing call, if the electric competitive supply product has a monthly fee, the Company shall provide the monthly fee immediately following the product's cents per kilowatt-hour rate.
3. The Company shall ensure that the phone number displayed on a consumer's phone, during a telemarketing call, is a working phone number for the Company or its third-party marketing vendor.

¹ "Delegated Commissioner" refers to the commissioner whom the Chairman, with authorization from the Commission, delegates the authority to, among other thing, issue a notice of probable violation. Competitive Supply Interim Guidelines, Section 2(2).

4. The Company shall ensure that the list of telemarketing vendors on file with the Department is current. D.P.U. 19-07-A at 31-35.
5. The Company shall provide a copy of the TPV and telemarketing scripts to the Department not later than two business days prior to resuming telemarketing in Massachusetts.
6. Not later than two business days prior to re-commencing sales activities in Massachusetts, the Company shall submit to the Department the criteria it will use to evaluate the qualification of the Company's and third-party marketing vendor's employees who will supervise the training of the telemarketing representatives.
7. Recognizing that telemarketing sales representatives represent the public face of the Company, the Company will affirmatively approve the third-party marketing vendors' use of each individual telemarketing representative.
8. For any new vendor hired, the Company shall audit 100 percent of the telemarketing recordings and TPVs for any new enrollments over the first month or the first 200 enrollments, whichever is longer, to ensure that the representatives are not misleading customers and are adhering to the Company's telemarketing and TPV standards.
9. For all consumers enrolled by the Company's third-party telemarketing vendor at issue in this complaint, the Company shall:
 - a. Waive the Company's fixed monthly fee for consumers going forward, and
 - b. Refund all the Company's fixed monthly fees that the consumers have incurred to date.

The undersigned, duly authorized, stipulate to and acknowledge agreement to the terms herein.

Department of Public Utilities

Cecile M. Fraser
Cecile M. Fraser
Delegated Commissioner

Date: 12/17/2020

SFE Energy Massachusetts, Inc.

Gerry Haggarty
Gerry Haggarty,
President and CEO

Date: Dec 16 2020