



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

Remedial Plan Spark Energy, LLC.

Pursuant to the Department of Public Utilities' ("Department") Interim Guidelines for Competitive Supply Investigation and Proceedings ("Interim Guidelines"), the Department and Spark Energy, LLC ("Spark Energy" or "Company") agree to the following Informal Remedial Plan ("Plan").¹ This Plan results from an informal review that the Delegated Commissioner² initiated on January 3, 2019, to determine the extent to which the Company may have significant consumer issues or violations of Department regulations. This investigation stems from an incident that the Department was informed of on December 18, 2018, allegedly involving two individuals marketing on behalf of Spark Energy breaking and entering a residence in the area of Summit Street in Hyde Park, Massachusetts.³

The Company agrees to the following nine provisions:

1. In recognition of the importance of the field component of the training of door-to-door marketing agents ("agents"), the Company will require its third-party door-to-door marketing vendors ("vendors") to have a supervisor or a designee from Spark Energy, or a combination thereof, accompany each agent-in-training during the agent's first two days of marketing, or until such time that the agent has had ten meaningful interactions with the public, whichever is greater.

¹ 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).

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

³ Two "Spark Energy" Employees Under Arrest for Breaking and Entering in Hyde Park, BPD News (December 18, 2018), <http://bpdnews.com/news/2018/12/18/two-spark-energy-employees-under-arrest-for-breaking-and-entering-in-hyde-park>.

2. In recognition of the important function provided by vendor employees that supervise the training and performance of agents, the Company will (a) directly train all vendor employees that are tasked with supervising agents, and (b) affirmatively approve vendors' use of such employees pursuant to established supervisor qualification criteria.
3. In recognition of the fact that agents represent the public face of the Company, the Company will affirmatively approve vendors' use of each agent, based on evaluation reports provided by the agent's supervisor.
4. The Company shall refrain from conducting door-to-door marketing until it has implemented the provisions set forth in items 1-3, above for each supervisor and each agent that will be participating in Massachusetts sales for the Company.
5. No later than two weeks from the date of this Plan, and no later than two business days prior to re-commencing sales activities in Massachusetts in accordance with this Plan, whichever is earlier, the Company shall submit to the Department the criteria it will use to evaluate the qualification of vendor employees who will supervise the training and performance of the vendor's agents (see item 2, above).
6. For each supervisor that the Company approves during the two-week period following the date of this Plan, the Company shall provide the Department with (a) the name of the supervisor, the vendor that employs the supervisor, and the supervisor's position within the vendor organization, (b) the name and position of the Company employee(s) that supervised the training of the vendor employee, and (c) a written report that supports the Company's determination that the vendor employee is qualified to supervise the training (both classroom and field) and performance of agents, pursuant to the Company's qualification criteria (see item 5, above). The Company shall submit this information to the Department no later than three weeks from the date of this Plan, in a format specified by the Department.

7. For each agent that the Company approves during the two-week period following the date of this Plan, the Company shall provide the Department with (a) the name of the agent, the vendor that employs the agent, and the vendor employee that supervised the agent's training (and confirmation that the employee is approved by the Company to provide such supervision), (b) a written report that supports the Company's determination that the agent is qualified to conduct door-to-door marketing (i.e., can be relied upon to interact with the public in a respectful and useful manner) - this report should refer to the report submitted by the agent's supervisor regarding the agent's performance in both classroom and field training (see item 3, above), and (c) the date on which the agent's training was finalized and the date on which the agent began marketing. The Company shall submit this information to the Department no later than three weeks from the date of this Plan, in a format specified by the Department.
8. For supervisors and agents approved by the Company after the two-week period following the date of this Plan, the Company shall submit the information identified in items 6 and 7, respectively, within two weeks after any future request for such information by the Department.
9. Within six months from the date of this Plan, the Company will implement a global positioning system or geo-location of all the agents that market a Spark Energy product.

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

Department of Public Utilities

Cecile M. Fraser

Date: 3/19/2019

Cecile M. Fraser
Delegated Commissioner

Spark Energy, LLC.

By:

[Signature]

Date: 3/18/19

Print name:

Jason Garrett

Title:

Executive Vice President, Retail

	A	B	C	D	E	F
1	<u>Company-Approved Supervisors</u>					
2						
3	Supervisor Information					
4	Third-Party Vendor Name	Supervisor Name	Supervisor Position (1)	Trainer Name (2)	Trainer Position (3)	Report (4)
5						
6						
7						
8						
9	Spark Energy Information					
10	NOTES					
11	(1) Enter the supervisor's position within the vendor organization.					
12	(2) Enter the name of the Company employee(s) that supervised the training of the vendor employee.					
13	(3) Enter the position of the Company employee(s) that supervised the training of the vendor employee.					
14	(4) Place a check here to confirm that the Company has submitted the report specified in provision (6) of the Informal Remedial Plan. The Company shall name the report "Supervisor Report, [Vendor Name] - [Supervisor Name]."					
15						
16						
17						
18						

	A	B	C	D	E	F	G
1	Company-Approved Door-to-Door Marketing Agent						
2							
3	Agent Information						
4	Third-Party Vendor Name	Agent Name	Vendor Supervisor (1)	Company-approved (2)	End Date of Training (3)	Begin Date of Marketing (4)	Report (5)
5							
6							
7							
8							
9							
10	NOTES						
11	(1) Enter the name of the third-party vendor employee that supervised the agent's training.						
12	(2) Place a check here to confirm that the Company has approved the vendor employee to supervise agents' training and performance.						
13	(3) Enter the date on which the agent's training was finalized.						
14	(4) Enter the date on which the agent began marketing.						
15	(5) Place a check here to confirm that the Company has submitted the report specified in provision (7) of the Informal Remedial Plan. The Company shall name the report "Agent Report, [Vendor Name] - [Agent Name]".						
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