

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

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| Illinois Commerce Commission |) | |
| On Its Own Motion |) | |
| |) | 11-NOI-01 |
| Notice of Inquiry into the Implementation |) | |
| Of Public Act 97-0222 |) | |

**Initial Comments of the
Citizens Utility Board and
The People of the State of Illinois**

The Citizens Utility Board, through its attorney, (“CUB”), and the People of the State of Illinois, by Lisa Madigan, Attorney General of the State of Illinois (“the People”), hereby files their Initial Comments in the above-captioned Notice of Inquiry, pursuant to the schedule established by the Commission in its Order of October 19, 2011.

I. Introduction

CUB and the People appreciate the opportunity to offer comments on consumer education information made available by the Illinois Commerce Commission’s (“ICC”) Office of Retail Market Development (“ORMD”). These comments are provided in response to the ICC’s Notice of Inquiry into the implementation of Public Act 97-0222 issued on October 19, 2011. CUB’s comments address existing consumer education information as well as ORMD’s “Complaint Scorecard” and “Complaint Summary.” CUB and the People commend the ORMD for its attempts at providing consumers with the information necessary to make an informed decision regarding their choice of electric supply, and offer the following Comments in an effort to update and improve customer information sources.

II. Updates to Current Materials/Information

There currently exists a deficiency in the educational information provided by the ORMD through the “PlugIn Illinois” website with respect to how electric choice affects Low Income

Home Energy Assistance Program (“LIHEAP”) & LIHEAP Percentage of Income Payment Plan (“PIPP”) customers. When a customer clicks on “Energy Assistance,” on the Plug-In Illinois website the link takes a consumer to information about energy efficiency or assistance paying your bill. If a customer seeks help paying a bill, the website provides a list of utility budget plans, utility assistance programs, and finally a link to the Illinois Department of Commerce and Economic Opportunity (“DCEO”) website for LIHEAP. However, the website does not disclose information that would be applicable to customers who take service from an alternative retail electric supplier (“RES”), including information that:

- 1) Not all RESs participate in the LIHEAP and PIPP programs.
- 2) If a customer is enrolled with a non-participating RES, that customer may not be able to receive financial assistance from LIHEAP or PIPP.
- 3) If a customer enrolled in the PIPP adds, drops or changes a supplier, that customer’s PIPP enrollment could be affected, including but not limited to removal from the PIPP or changes in the amount the consumer will have to pay out of pocket.

The ORMD’s customer education materials should acknowledge how electric choice affects eligibility for state benefits. This information is crucial for consumers who are seeking to learn everything they need to know about electric choice.

There is also a dearth of information on the ORMD website concerning municipal aggregation. While the website provides information on the contract term and length for those municipalities that have chosen to aggregate electric supply load through an RES, this information should be supplemented with basic information for those customers whose municipal area is considering aggregation. A basic “fact sheet” about municipal aggregation should be provided in which people can read about different options, such as opt-in or opt-out aggregation and what that entails. If a municipality or county chooses to aggregate its residential

electric load, that choice could impact customers who have already exercised their right to choose an alternative electric supplier or those who have obtained or are seeking assistance from LIHEAP or the PIPP. The financial consequences of municipal aggregation to those customers should be explained on the website.

III. Additional Information: Complaint Scorecard

Among the proposed choices provided by ORMD for tracking RES complaints, CUB and the People favor Complaint Scorecard Option 3, though CUB and the People propose that this option be modified. If ORMD chooses Option 3, which features a Complaint Scorecard to consumers with a table indicating Complaint Rates using star icons, CUB and the People recommend replacing the stars with circles, an icon used by the State of Texas in their complaint tracking database, and making the number of circles directly proportional to the complaint rate. In other words, the Complaint Rates information would present fewer circles for suppliers with lower complaint rates, and more circles for suppliers with higher complaint rates¹. CUB and the People also recommend there be a sentence preceding the table, which explains “more circles indicate higher rates of complaints” or “fewer circles indicates lower rates of complaints.” The Texas scorecard also includes a simple reminder at the top of their table that “fewer circles indicates lower complaint rate” and then provides the table legend below.².

Use of a six-month rolling average (updated monthly) of complaints, as proposed, is acceptable, provided that there is a way for the consumers to view historical complaint information for the RES as well. This could be accomplished by allowing a customer to “click” on a name from the table and see that particular RES’ complaint information for each month that

¹ http://powertochoose.org/content/complaint/scorecard_0911.pdf

² http://powertochoose.org/content/complaint/scorecard_0911.pdf

they have been in business. In this manner, the consumer will not only know how the RES they may be studying stacks up in the current six month period but also how it has performed historically regarding complaint rates.

IV. Additional Information: Complaint Summary

CUB and the People agree with ORMD's proposal to use the same two categories similar to those used to track complaints for Illinois natural gas choice programs. In addition, CUB and the People favor the Complaint Summary which lists the number of complaints.

V. Conclusion

WHEREFORE, the Citizens Utility Board and the People of the State of Illinois hereby request that the information supplied by the ORMD related to electric choice be modified in accordance with the Comments above.



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