I. Introduction

The Illinois Commerce Commission (ICC) Office of Retail Market Development, Consumer Services Division, and Office of General Counsel hosted a workshop titled Part 412/453 Workshop on Agent Training on June 12, 2018. The Workshop was an opportunity for ICC Staff and other electric choice market stakeholders to collaboratively discuss strategies and best practices for training agents on Parts 412 and 453.

This was the ICC’s first Workshop on Agent Training after amendments to Part 412 took effect on May 1, 2018, and amendments to Part 453 took effect on November 1, 2017.

This document summarizes the workshop discussion with the intention of:

1. Documenting what was discussed at the workshop for reference,
2. Potentially aiding Alternative Retail Electric Suppliers (ARES) in enhancing their training practices, and

The purpose of this document is intended to provide a summary of various facets of marketplace participation discussed during the Workshop on Agent Training. This document is not, and should not be construed as, legal advice. Nothing contained in this document is intended to, nor will it, create safe harbor. This document is not comprehensive, and implementing strategies in this document will not ensure compliance with all legal requirements in Illinois. This document is not intended for use in the course of a docketed proceeding. This document does not contain actions required of ARES, but rather is a compilation of a workshop discussion that included what may have worked for some ARES. This document has not been approved by ICC Commissioners, does not represent the opinion of any ICC Commissioner, and implementing strategies discussed will not prevent a cause of action for non-compliance with Part 412, Part 453, the Public Utilities Act, or any other applicable laws.

II. Summary of Executive-Level Discussion

This section summarizes high-level insights from the workshop discussion and is intended to inform the executive strategy of a company.

- **Each State is Different—Know the Rules:** For those companies that work across multiple state lines, know that each state is different. An approach to agent training that is developed for one state will not work in all states. Understand the rules in Illinois and train agents that work here accordingly. For Illinois, this includes Part 412 Obligations of Retail Electric Suppliers (83 Ill. Adm. Code 412), Part 453 Internet Enrollment Rules (83 Ill. Adm. Code 453), the Consumer Fraud & Deceptive Practices Act (85 ILCS 505/1 et seq.), the Public Utilities Act (220 ILCS 5/1 et seq.), and the Telephone Solicitations Act (815 ILCS 413/1 et seq.).

- **Monitor, Monitor, Monitor:** Consistent monitoring of internal agents and outside vendors is key—and may include a computer program, annual audits, spot checks, or shadowing. Schedule audits of internal and external vendor activities, materials, sales activities, complaints, etc.
• **The Right People in the Right Places:**
  - High turnover tends to lead to poor compliance. Know who you are hiring and what previous experience they have had in the market.
  - Have a succession plan for key positions and ensure those who are overseeing compliance are not in sales or reporting to the sales team, but rather have regulatory and compliance experience.
  - For increased control and reduced risk, consider using internal sales staff.

• **Know Your Data:** Your data can help you pinpoint areas of improvement. Consistently review and analyze your own sales and complaint data. Don’t wait for problems to be brought to your attention by an outside organization.

• **Prepare a Compliance Plan:** Once you have a plan, communicate it throughout and adhere to it.

• **Take Complaints Seriously:** Quality control must also flow directly from investigation of consumer complaints, both those received directly by an ARES and from third parties such as the ICC. Investigation of complaints should not be handed over to the sales vendor.

### III. Summary of Discussion on Strategies to Enhance Training and Performance

This section summarizes strategies discussed during the workshop and is intended to provide companies insight into how to enhance their training and improve performance.

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<th>Initial Training</th>
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<tr>
<td><strong>General Overview:</strong></td>
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<tr>
<td>• Be consistent and regular with training; plan for turn-over so that new hires are trained before marketing to customers.</td>
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<tr>
<td>• Integrate ICC reporting related to Section 412.170 into the training procedure so information filed with the ICC is always current.</td>
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<td><strong>Common Formats:</strong></td>
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<td>• In-person/classroom training that includes practice pitches</td>
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<td>• Online training module that helps with quizzing agents and tracking completion</td>
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<td>• Job shadowing for in-person solicitation</td>
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<td><strong>Duration:</strong></td>
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<td>The length of training varies depending on the agent’s role (in-person solicitation vs. telemarketing)</td>
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<td>• In-Person Solicitation: Training length can range from 3-4 days up to 4 weeks</td>
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<tr>
<td>• Telemarketing: Training length can range from 8-12 hours up to 1 week</td>
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<td><strong>Common Topics:</strong></td>
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<td>Basic training modules that provide background information and context to agents are important. Additional modules can be added to an agent’s training based on the work they will do (such as in-person solicitation or telemarketing).</td>
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<td>• Deregulation/Energy 101 (explains the role of the supplier vs. the utility, municipal aggregation, and how billing works)</td>
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<td>• ICC/Government requirements</td>
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<td>• Company specific standards/requirements</td>
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<td>• History of the market</td>
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<td>• Utility subsections</td>
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• Proper Representation (explains the intention of company shirts, badges, lanyards, etc., that the agent’s intention to not be perceived as the utility is important, and that the agent might need to educate the customer before selling)
• Terms & Conditions and Uniform Disclosure Statement (agents should know everything included in these documents)
• If Applicable: Renewable Energy Product Descriptions (how RECs work, how and where the RECs are sourced, vintage, what to not say, etc.)

Certified Trainers:
• Trainers who conduct agent trainings could include agents who have completed training and are considered “certified”, but should also include a non-agent trainer who focuses on regulatory requirements, adherence to scripts, rules, etc.

Monitoring:
• Monitoring an agent during training or when they are starting is important, and could include live auditing or spot checks of recordings

### Monitoring & Retraining

**Monitoring Techniques:**
- **In-Person Solicitation:**
  - Record in-person sales starting from the knock on the door to ensure the script is followed
  - 100% quality control callbacks, recordings of which can be retained indefinitely
  - Monitor the moments where “no sale” falls off to identify potential issues
  - Have an agent performance matrix to monitor when they hit a certain threshold and need to be pulled off-line for a full day for retraining. They can return when the issue has been fully addressed
  - Quality control managers can flag calls for retraining when issues/weaknesses are identified; then provide corrective measures
  - The third party verification (TPV) company can alert the ARES when the TPV fails
  - When new products are introduced to the market

**Retraining Method for Small Issues:**
- Hands-on process that is tailored to the agent’s specific areas of improvement

**Addressing Large Issues:**
- Depending on the intent behind the action or issue, retraining the agent may not be effective
- There are offenses that may require termination; this can be dealt with on a case-by-case basis
- A “do not hire list” or a “termination tracker” can be used so that when an agent is terminated for an issue, the same agent/individual cannot return to work for the company in any future capacity (i.e. for a contracted 3rd party vendor)

### In-Person Solicitation
- Have a system listing all the permitted areas where the agents can market and times of day they can market
- Have a designated person responsible for knowing current regulations in the state and local areas
- Establish a “don’t cross the home threshold” rule
- Mark a house as “do not solicit” upon request, regardless of whether there is a no solicitation sign
- Have a universal “request to end marketing” so one request by a customer will end all efforts to contact them through all communication channels
Telemarketing

Staying on Script:

- Provide FAQ lists to agents to answer questions and get them back on script
- Have a TPV script log that tracks what made it a bad enrollment