

# EXHIBIT A

**STATE OF CONNECTICUT**

**PUBLIC UTILITIES REGULATORY AUTHORITY**

RE: PURA ESTABLISHMENT OF	:	DOCKET NO. 13-07-18
RULES FOR ELECTRIC	:	
SUPPLIERS AND EDC'S	:	
CONCERNING OPERATIONS	:	
AND MARKETING IN THE	:	
ELECTRIC RETAIL MARKET	:	DECEMBER 24, 2013

**SECOND SET OF INTERROGATORIES FROM  
THE OFFICE OF CONSUMER COUNSEL**

The Office of Consumer Counsel (OCC) requests responses to the following interrogatories from all electric suppliers operating in the State of Connecticut by **January 7, 2013.**

**DEFINITIONS**

- A. As used in these interrogatories, "any" shall include "all," and "all" shall include "any," as needed to make the request inclusive and not exclusive.
- B. As used in these interrogatories, "and" shall include "or," and "or" shall include "and," as needed to make the request inclusive and not exclusive. For example, both "and" and "or" mean "and/or."
- C. As used in these interrogatories, "include" and "including" mean "including but not limited to."
- D. As used in these interrogatories, "Company " means the respective electric suppliers subject to this current PURA proceeding, any domestic and foreign parents, present or former subsidiaries, affiliates, branches, divisions, principals, associated persons, control persons, directors, officers, employees, agents, trustees and beneficiaries. Each reference to Company shall be interpreted to include any, all, or any grouping or subgrouping of persons and entities named in the foregoing enumeration as needed to make the reference inclusive and not exclusive.
- E. As used in these interrogatories, "document" means all materials and tangible forms of expression in each Company's possession, custody or control, whether drafts or unfinished versions, originals or nonconforming copies thereof, however,

or by whomever prepared, created, produced, maintained, used, sent, received, dated, or stored (manually, mechanically, electronically or otherwise), including books, papers, records, files, notes, e-mails, messages, bulletins, personal digital assistants (PDAs), smartphones (*e.g.*, “Blackberry,” “iPhone,” “Droid”) and other mobile electronic devices, or other electronic, social or industrial web-based media (*e.g.*, Facebook®, Twitter®, LinkedIn®) within the Company’s control, letters, chronologies, charts, studies, graphs, computer printouts, receipts, schedules, itineraries, declarations, affirmations, affidavits, deposition transcripts or other sworn, affirmed or unsworn statements, scripts, press releases, minutes, summaries, analyses, correspondence, memoranda, work papers, ledger sheets, confirmations, cables, wires, telecopies, facsimiles, telegrams, telexes, telephone logs, notes or records of conversations or meeting, contracts, agreements, notices, advertisements and including all metadata in all electronic documents.

- F.** “Communicate” or “communication” means every manner or means of disclosure, transfer or exchange, and every disclosure, transfer or exchange of ideas or information, whether orally, by document, or electronically, or whether face-to-face, by telephone, mail, personal delivery, electronic transmission or otherwise.
- G.** “Identify,” “identity,” or “identification,” (1) when used in reference to a natural person, means to state his or her full name and present or last-known address, present or last-known position and business affiliation and each position with you, social security numbers, and telephone numbers for residence and business; (2) when used in reference to any other person means to state its full name, present or last-known address, and telephone number; (3) when used in reference to a document means to state the type of document (*i.e.*, letter, memoranda, chart, handwritten notes, calendar (electronic or paper), spreadsheet, sound reproduction, report, computer inputs or outputs, etc.), the location where maintained, the Company’s identifying marks and code, the subsidiary, division, or department where prepared and sent, the document date, the author and persons to whom copies were sent or persons initialing or reading or approving the document, and the name and address of each of the present custodians of the document; (4) when used in reference to an event or instance means to identify each natural person involved in the event, to state when and where the event occurred, to state a description of the nature and substance of the event, and to identify any document related to the event; (5) when used in reference to a communication means to state each communication, the persons involved in the communication, where the communication took place, and a brief description of the substance of the communication, and to identify any document related to the communication.

## **INTERROGATORIES**

- OCC-21. Identify all means by which the Company's products are sold, including, but not limited to, telemarketing, door-to-door sales, multi-level marketing ("MLM"), referral sales, direct mail solicitation, and internet sales. For each such sales practice, identify and explain how the entity or person conducting the sale is compensated.
- OCC-22. Provide a copy of all internal training materials in effect in 2012 and 2013 for any entity or person that has engaged in sales of the Company's electric retail products in Connecticut. In your response, identify the dates during which the training materials were in effect or when revisions occurred.
- OCC-23. Please indicate whether the Company sells its products to:
- a. residential customers;
  - b. business customers;
  - c. apartment buildings where tenants are not responsible for paying the utility bill directly; and
  - d. apartment buildings where tenants are responsible for paying the utility bill directly.
- OCC-24. For each of the 12 most recent months for which data are available, please indicate separately:
- a. the total quantity of residential customers served;
  - b. the total quantity of residential customers who are tenants;
  - c. the total quantity of new residential customers for the given month; and
  - d. the total quantity of residential customers whose service was terminated in the given month.
- OCC-25. Provide the geographic boundaries of the areas in which the Company's employees, contractors or agents or anyone authorized to sell the Company's products conducted door-to-door sales activities in Connecticut since January 2012, and the dates of such activities. Identify by name, title, business address and physical location the individuals who supervised the door-to-door sales activities.
- OCC-26. Please list the criteria used to determine the geographic area to conduct door-to-door sales activities and identify any and all individuals (including title and business address) involved in deciding where such activities would be conducted. Provide all documents, including but not limited to discussions, decisions, instructions, or company policies, related to where to conduct door-to-door sales activities.
- OCC-27. Provide the geographic boundaries of the areas within which the Company's products were promoted through telemarketing efforts since January 2012, and the dates of such telemarketing activities. Identify by

name, title, business address and physical location the individuals who supervised such telemarketing activities.

- OCC-28. Please list the criteria used to determine the geographic area to target for telemarketing and identify all individuals (including title and business address) involved in deciding where such activities would be conducted. Provide all documents, including but not limited to discussions, decisions, instructions, or company policies, related to where to conduct telemarketing activities.
- OCC-29. Identify the date, trainer, number of attendees, and location where training occurred for any entity or person engaged in the sale or promotion of the Company's products in Connecticut during 2012 and 2013 to date.
- OCC-30. Provide a copy of the Company's internal compliance program to assure compliance with its training materials and Connecticut law and regulations.
- OCC-31. Provide documents related to any internal audits or investigations conducted by or on behalf of the Company since January 2012, including reports, draft reports, and any documents in which such reports and draft reports were mentioned or discussed.
- OCC-32. Provide internal documents that identify the results of any internal audits or investigations undertaken since January 2012.
- OCC-33. Identify the employees (including names, positions, mailing addresses, and physical locations) with the responsibility to ensure compliance with the Company's internal policies and Connecticut law and regulations for entities or people engaged in the sale or promotion of the Company's products in Connecticut.
- OCC-34. Identify any internal discipline and sanctions imposed on any entity or person engaged in sales of the Company's product as a result of actions undertaken in Connecticut since the initiation of the Company's retail sales of electricity in Connecticut.
- OCC-35. Provide the contract(s) or arrangement(s) in effect with any contractor or agent authorized to verify customer authorizations to switch electric suppliers for Connecticut consumers.
- OCC-36. Provide the script in effect to obtain verbal customer authority to switch their electric supplier for Connecticut sales transactions.
- OCC-37. Provide a copy of every residential service contract or consent to service, including disclosure documents and terms of service, with the applicable price and pricing methodology, used in Connecticut since January 2012, noting the location and date when such contract was in effect.

- OCC-38. For each month of June through December 2013, provide an electronic spreadsheet showing the following information for each Connecticut residential customer billed for generation supply service:
- a. Customer Name;
  - b. Customer Address;
  - c. Contract version (as internally labeled or tracked);
  - d. Price or range of prices of generation supply service in cents per kWh format;
  - e. Billed amount sent to utility (total amount billed);
  - f. Renewable or “green” product;(Y/N);
  - g. Fixed or variable rate (F or V);
  - h. Contract term (length in months); and
  - i. Contractual early termination fee amount (\$).
- OCC-39. Provide a copy of every contract renewal notice sent to a Connecticut residential customer since January 2012.
- OCC-40. Provide a copy of all mass marketing materials (including but not limited to radio ad scripts, TV advertisements, newspaper ad copy, postcards, mailings and brochures) used in Connecticut since January 2012.
- OCC-41. Identify any telemarketing campaigns undertaken in Connecticut since January 2012. In your response, provide the sales scripts, the identity of the telemarketing contractors, a copy of the contract with such contractors, and the resulting sales activity for each sales campaign since January 2012.
- OCC-42. With regard to the Company’s verification of customer authorization to switch their electric supplier, provide a CD with the audio recordings of each call attempted or conducted in the January through April 2013 period.
- OCC-43. Provide a copy of the Company’s compensation arrangement with any entity or person engaged in the sale or promotion of the Company’s product in Connecticut, whether the Company pays the compensation directly or acts as a conduit for payment by the customer. In addition, provide a summary of all such compensation, monetary or otherwise, paid to the same on a monthly basis since January 2012, including bonuses and incentives.
- OCC-44. Identify each state in which you or an affiliate has been under investigation in any state or federal regulatory or judicial proceedings since January 2012, and provide the latest information on the status or result of that investigation. Where completed, provide an order or other document indicating the final result. Where not completed, identify the status of the proceeding and provide copies of any materials submitted to the relevant authority to date. For the purposes of this response, please

interpret “proceeding” as one noticed to the supplier in writing and in which further information is sought or requested about the supplier’s retail sales of energy marketing conduct or related activities.

- OCC-45. Provide any internal reports or other documents that summarize and identify customer complaint trends and actions taken as result of evaluation of customer complaints since January 2012.
- OCC-46. Describe fully the Company’s policies and procedures for handling consumer complaints, and, in the response, identify the name, title, address, and telephone number of the employee(s) responsible for supervising the handling of consumer complaints. Also, please indicate how many months/years the employee has held the position. Please also indicate to whom the employee person reports.
- OCC-47. Please provide an organizational chart for the Company.
- OCC-48. Provide a monthly compilation of customer complaints from Connecticut residential customers since January 2012 by the following complaint categories:
- a. Door to door or telemarketing sales agent conduct;
  - b. Pricing or pricing methodology;
  - c. Early termination fee amount or requirement;
  - d. Allegation of slamming (that the customer’s supplier was changed without authorization);
  - e. Allegation of cramming (that the customer was billed for charges not agreed to);
  - f. Billing errors;
  - g. Customer service call center: call not answered; wait times; failure to reach live representative; dissatisfaction with result;
  - h. Misrepresentation of identity;
  - i. Impersonation of utility employee;
  - j. Customer intimidation, *i.e.*, telling customers they are required to choose a supplier or their power will be shut off; and
  - k. Other.
- OCC-49. With regard to each type of variable rate contract entered into with Connecticut residential customers since January 2012, provide the methodology used to calculate the customer’s monthly bill and provide an example using an average of 750 kWh.
- OCC-50. With regard to any product sold to Connecticut residential customers labeled “renewable” or “green” energy, identify the basis for such characterization by documenting that portion of the Company’s sales to such customers that reflect compliance with Connecticut’s renewable energy mandate and that portion that reflects the incremental renewable energy content. In your response, provide documents related to the

contracts or purchases that show compliance with each portion of the product marketed as renewable or green since January 2012.

- OCC-51. Please provide the following data for the most recent time period available, and specify the time period that corresponds with the response:
- a. All residential counts;
  - b. Residential counts separately by zip code;
  - c. Residential counts separately by municipality;
  - d. Quantity receiving elderly home heating assistance;
  - e. Quantity receiving low income energy assistance;
  - f. Quantity of medical no shut-off, excluding those flagged as moratorium on shut-off;
  - g. Quantity of moratorium on shut-off (the 11/1 until 4/1 moratorium), excluding those that are also flagged as medical no shut-off;
  - h. Quantity that are flagged both as medical no shut-off and moratorium on shut-off; and
  - i. Home Energy Solution – Income Eligible.

Respectfully submitted,

ELIN SWANSON KATZ  
CONSUMER COUNSEL

By: \_\_\_\_\_  
Victoria P. Hackett  
Staff Attorney  
Lauren Henault Bidra  
Staff Attorney

I hereby certify that a copy of the foregoing has been mailed, electronically filed, and/or hand-delivered to all known parties and intervenors of record, this 24<sup>th</sup> day of December, 2013.

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Lauren Henault Bidra  
Commissioner of the Superior Court