

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: December 23, 2016

AT (OFFICE): NHPUC

FROM: Rorie Patterson *REP*

NHPUC 23DEC16PM2:25

SUBJECT: DE 16-837 Complaint by Unitil Energy Systems, Inc. against Clearview Electric, In. d/b/a Clearview Energy

TO: Martin Honigberg
Robert Scott
Kathryn Bailey
Debra Howland

CC: Amanda Noonan
Thomas Frantz
David Wiesner

Summary:

The Commission has a pending complaint from Unitil Energy Services, Inc. (UES) about Clearview Electric d/b/a Clearview Energy's (Clearview) door-to-door marketing practices (DE 16-837). Clearview's competitive electric power supplier (CEPS) application was approved by the Commission on May 17, 2016. Since that time, the Commission has received more than 120 complaints or inquiries from customers of UES, Eversource, and Liberty about Clearview's in-person marketing solicitations. More than 100 of those customer contacts are complaints, which allege behavior that may violate one or more legal requirements applicable to CEPS and enforced by the Commission. Consequently, Commission Staff recommends that the Commission expand the scope of the UES complaint docket to include a review of complaints received by the Commission, including those from customers of Eversource and Liberty, as well as other complaints received by Eversource and Liberty, if any. Staff further recommends that, based on the findings of that expanded complaint investigation, the Commission consider taking enforcement action against Clearview, which may include the assessment of fines and/or the suspension or revocation of its CEPS registration, as warranted.

Applicable Legal Standards:

CEPS are not public utilities, but RSA 374-F:7, I, authorizes the Commission to establish requirements for CEPS, including standards of conduct and consumer protection and assistance requirements. Under RSA 374-F:7, III, as recently amended, the Commission is authorized to:

assess fines against, revoke the registration of, order the rescission of contracts with residential customers of, order restitution to the residential customers of, and prohibit from doing business in the state any competitive electricity supplier, including any aggregator or broker, which is found to have:

- (a) Engaged in any unfair or deceptive acts or practices in the marketing, sale, or solicitation of electricity supply or related services;
- (b) Violated the requirements of this section or any other provision of this title applicable to competitive electricity suppliers; or
- (c) Violated any rule adopted by the commission pursuant to paragraph V and RSA 374-F:4-b.

Pursuant to its statutory rulemaking authority, the Commission has adopted N.H. Code Admin. Rules Chapter 2000 regarding CEPS and electric load aggregators. Puc 2004 defines the consumer protection requirements applicable to CEPS selling electricity to residential or small commercial electric customers. Puc 2004.04 governs in-person sales by or for a CEPS. In particular, the rule requires that CEPS representatives clearly identify themselves, the CEPS, and the representatives' relationship with the CEPS. Puc 2004.04(a)(1) and (2). The CEPS representative must "leave the premises of a potential customer when requested to do so by the potential customer or the owner or occupant of the premises." Puc 2004.04(a)(3).

In addition, unauthorized transfers to CEPS service, or "slamming," is prohibited by Puc 2004.05(a); *see also* Puc 2004.10(b), authorizing complaints for slamming, and Puc 2004.05(j), authorizing sanctions for slamming. Sanctions for failure to comply with the Commission's CEPS rules are set forth in Puc 2005, including assessment of a penalty up to \$1,000 per day for each violation of law or rule. Puc 2005.01(b). In addition, for two or three violations of law or rule, the Commission must suspend a CEPS's registration, under Puc 2005.01(c), and, for the fourth and subsequent violations of law or rule, the Commission must revoke a CEPS's registration, under Puc 2005.01(d).

Background and UES Complaint:

On May 17, 2016, the Commission approved Clearview's CEPS registration in Docket DM 15-514. Clearview's registration authorizes it to operate within the franchises of Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource), Liberty Utilities

(Granite State Electric) Corp. d/b/a Liberty Utilities (Liberty), and UES. Clearview's registration expires on March 21, 2017, the date its surety bond expires.¹

On October 26, 2016, UES filed a complaint with the Commission about Clearview. In its complaint, UES asserts that Clearview began operating in UES's service territory on or about September 30, 2016. According to UES, in less than one month, UES received a number of complaints from its customers regarding Clearview's in-person marketing practices. The complaints allege primarily that Clearview sales representatives either identified themselves as representatives of UES or as being affiliated in some way with UES. Further, UES contends that complaints from its customers regarding Clearview are consistent in nature with complaints received by regulators in other jurisdictions in which Clearview operates. UES cited to the complaints discovered through the Commission's review of Clearview's registration application, as well as a recent "inquiry" by the Maine Public Utilities Commission into Clearview's door-to-door marketing practices, which resulted in a consent agreement and the closing of the docket without investigation.²

In its filing, UES also alleges that Clearview's website incorrectly states UES's default service rate, using the higher default service rate for the 2015-2016 winter period rather than the current, lower default service rate.³ UES asserts that use of the incorrect price to compare, as shown on Clearview's website, by Clearview's sales representatives represents willful misrepresentation. Based on the complaints received from its customers, UES suggests that Clearview's representatives are, at a minimum, engaging in unfair or deceptive acts or practices in the marketing, sale or solicitation of electricity supply, and so are in violation of RSA 374-F:7, I, as well as the Puc 2004.04 requirements pertaining to identification. UES asked the Commission to "review Clearview's marketing practices, order Clearview to cease engaging in any improper marketing practices and, if necessary, sanction Clearview if it is found to have violated any state law or Commission rule."

Experience of Consumer Services and External Affairs Division:

Between June 16 and December 9, 2016, more than 120 electric utility customers of Eversource, Liberty, and UES⁴ contacted the Commission about Clearview. Approximately two

¹ The Commission granted Clearview a waiver of Puc 2003.03(a)(5), which requires the financial security filed with a CEPS renewal application have a term of five years and 120 days. To renew its one-year registration, Clearview must file a renewal application on or before January 20, 2017.

² Some of the terms of the Maine PUC consent agreement are confidential.

³ The UES 2015-2016 winter default service rate was \$0.0941. From June 1, 2016 through November 30, 2016, the UES default service rate was \$0.05978. This was the rate in effect at the time UES filed its complaints. UES's winter 2016-2017 rate, which went into effect on December 1, 2016, is \$0.0769, still lower than the \$0.0941 UES alleges Clearview claimed as the UES price to compare on its website.

⁴ Clearview was approved as a CEPS in the franchise areas of Eversource, Liberty, and UES. It did not apply to conduct business in the franchise area of New Hampshire Electric Cooperative.

dozen customer contacts can be characterized as inquiries, and the remainder can be characterized as complaints. Examples of inquiries include a customer calling the Commission to confirm that Clearview was authorized to do business or a customer calling with questions about competitive electric supply generally.

Most of the complaints to the Commission fall into the following eight categories, with some complaints covering more than one category:

1. Clearview representatives identifying themselves as representatives of the electric distribution company or implying a relationship with the electric distribution company (28 complaints);
2. The loss of the Electric Assistance Program (EAP) discount on energy costs following a switch to Clearview after being told, in many instances, that changing to Clearview would not cause a loss of the EAP discount (18 complaints);
3. Clearview switching a customer without authorization, i.e., “slamming,” *see* Puc 2004.10(b) (17 complaints);
4. The inability of customers, once switched to Clearview, to access Clearview customer service by phone or email (34 complaints);
5. The failure of Clearview representatives to identify themselves or provide proof of identity (4 complaints), *see* Puc 2004.04 (a)(1);
6. The refusal of Clearview representatives to leave customers’ premises or the failure of Clearview representatives to abide by “no solicitation” signs (13 complaints), *see* Puc 2004.04(a)(3);
7. The use by Clearview representatives of sales pressure or aggressive marketing tactics to get a customer to enroll, or the targeting of sales to vulnerable members of the public such as elderly customers (28 complaints); and
8. The use of false or misleading statements by Clearview representatives in their sales presentations, other than those involving statements regarding utility representation or affiliation (23 complaints).

In addition to the calls from customers, the Consumer Services and External Affairs Division has received calls about Clearview from local police departments in response to calls from residents as well as on their own behalf as they worked to ensure Clearview’s compliance with local rules and ordinances.

Of note, nearly all of the UES customers who complained to the Commission are different from the UES customers identified in the complaint filed by UES against Clearview. A detailed summary of the customer complaints received by the Consumer Services and External Affairs Division is attached. The following are some highlights from the summary:

- On October 11, 2016, the son of an Eversource customer contacted the Commission to report that a Clearview representative had enrolled his 91-year-old mother who is legally blind and deaf (Category 7), and, as a result, she lost her EAP discount (Category 2).
- On October 22, 2016, an Eversource customer contacted the Commission and reported that a Clearview representative “tried to get me to believe that Eversource would ‘reject’ my supply service ... if I didn’t sign up for a provider because it is ‘mandatory to do so.’” (Category 8).
- On October 28, 2016, an Eversource customer contacted the Commission to report that a Clearview representative told her Eversource and Clearview were the same company (Category 1) and that he told her to say, during the sales verification call, that she did not receive an EAP discount (Category 7). After she was switched to Clearview, she lost her EAP discount (Category 2).
- October 31, 2016, a state legislator contacted the Commission and reported that a Clearview representative had told one of his constituents that the utility’s rates were going up 300% (Category 8).
- On October 31, 2016, a customer of UES contacted the Commission to report that her electric account had been switched to Clearview without her authorization (Category 3). She stated that the Clearview representative initially said he was “from Unitil and could save her 10%.” (Category 1) The customer also complained that the representative took a picture of her bill and left a number for her to call with any questions, but she had called and let the number ring for 5 minutes without an answer (Category 4).
- On November 14, 2016, an elderly UES customer contacted the Commission and reported that she was switched to Clearview and wanted to cancel, but none of the telephone numbers worked. The numbers were either disconnected or there was no answer. (Category 4) The elderly customer seemed to have difficulty understanding what had transpired with Clearview (Category 7).
- On November 15, 2016, the Commission was contacted by the daughter of an elderly customer of UES, who reported that her mother has memory and comprehension issues (Category 7), and, after she switched to Clearview, she lost her EAP discount on energy supply (Category 2). The customer’s daughter also reported that her mother’s community has a “no solicitation” sign posted (Category 6).
- On November 16, 2016, a customer of Eversource complained to the Commission that, based on her interaction with a Clearview representative, she had the impression that Clearview was affiliated with or working for Eversource (Category 1). The customer also reported that she had been solicited four times in the prior week and wanted them to stop soliciting her (Categories 6 and 7).
- On November 25, 2016, a police officer contacted the Commission and reported that a Clearview representative refused to show the officer identification (Category 5).

- On December 5, 2016, an Eversource customer contacted the Commission to report that her electric supply was switched to Clearview without authorization (Category 3) and that she lost her EAP discount on supply costs (Category 2). The customer also reported that Clearview did not advise her that she would lose her EAP discount (Category 7).

Clearview Response:

As shown in the last column of the attachment, the Consumer Services and External Affairs Division shared most of the complaints it received with Clearview, and Clearview provided responses to those complaints. Generally, Clearview has cooperated with the Commission's investigations and has provided the specific relief requested by the customer, more often than not through the cancellation of the customer's enrollment. In most cases, however, Clearview has denied customers' allegations of wrongdoing. In its responses to the complaints sent to it by the Commission, Clearview has stated, among other things, that: the company's sales script does not contain "the verbiage" to lead customers to believe that Clearview is affiliated or working for the electric distribution utility; the company's sales practices do not include the use of pressure, intimidation, or false information; Clearview's phone records do not show that customers complaining about being unable to get through to the company by phone have contacted the company; the verification calls associated with the complaining customers support their enrollments; or the complaint was the result of a "misunderstanding".

On September 13, 2016, Division Director Amanda Noonan contacted Jeremy Reed of Clearview by e-mail and requested "a detailed action plan outlining how Clearview intends to address" the allegations of misleading sales representations, high pressure sales tactics, and the misrepresentation by Clearview representatives of direct relationships with the electric distribution utilities. Mr. Reed provided a "Corrective Action Plan" on September 14, 2016, which was revised on September 15, 2016. Since that time, the Commission has received 65 complaints from customers of Liberty, UES, and Eversource about Clearview's in-person marketing practices. As shown in the attachment, the types of complaints received before and after the Corrective Action Plan are the same.

Staff Recommendation:

Clearview's failure to address the root causes of the complaints received by the Commission, including those described in the UES complaint, is very concerning. The complaint information provided by UES alone provides a sufficient basis for the Commission to conduct a hearing to determine whether Clearview has violated the law or rules applicable to CEPSs in its door-to-door marketing solicitations of electric utility customers in New Hampshire. Staff recommends, however, that the Commission expand the scope of the UES complaint docket, DE 16-837, to also include complaints about Clearview received by the

Commission, including those from customers of Eversource and Liberty, as well as any other complaints received directly by Eversource and Liberty. In addition, Staff recommends that Liberty and Eversource be made mandatory parties to the expanded docket.

Staff further recommends that, based on the findings of the expanded complaint investigation, the Commission consider taking enforcement action against Clearview, which may include the assessment of fines and/or the suspension or revocation of its CEPS registration, as warranted.

Key to CO. -

E = Eversource
 L = Liberty
 U = Unitil
 UNK = Unknown

Key to Reason for Contact (besides "Info" and "Other")

"Utility" = customer had impression CLV was, was related to, or was working for, utility
 "EAP" = customer lost EAP discount on supply
 "Slam" = customer did not authorize switch
 "Access" = customer could not get through to CLV on phone or email
 "No ID" = no ID shown or otherwise provided
 "Refuse" = refuse to leave or no solicitation posted
 "Tactics" = Unfair sales tactics
 "Misrep" = Misrepresentations
 "Police" = police called by customer or otherwise involved
 "ETF" = early termination fee

Key to CLV Response

"CSEA" = Consumer Services and External Affairs Div.
 "TPV" = CLV verification call/thrid party verification
 "DNCL" = CLV Internal Do Not Call/Solicit List

| | DATE RECEIVED | CITY/TOWN | CO. | REASON FOR CONTACT | | | | | | | | | | | SUMMARY | CLV RESPONSE | |
|----|---------------|------------|-----|--------------------|---------|-----|------|--------|-------|--------|---------|--------|-------|--------|---------|--|--|
| | | | | Info | Utility | EAP | Slam | Access | No ID | Refuse | Tactics | Misrep | Other | Police | | | |
| 1 | 12/9/2016 | | UNK | X | | | | | | | | | | | | Cancel enrollment | N/A (CSEA gave customer telephone number to CLV) |
| 2 | 12/7/2016 | Dover | E | | | X | | X | | | | X | X | | | Elderly; Told EAP discount would transfer; no TPV; Access to cancel | switch to CLV before Sept 2016 training and change to TPV re EAP; refunded EAP discount; enrollment cancelled; customer put on DNCL |
| 3 | 12/5/2016 | Rochester | E | | | X | X | | | | | | X | | | Slam; lost 52% EAP discount, not told about losing discount; CLV refusing to rebate EAP discount | switch to CLV before Sept 2016 training and change to TPV re EAP; refunded EAP discount; customer cancelled enrollment; customer put on DNCL |
| 4 | 12/2/2016 | Concord | U | | | X | | | | | | X | | | | Told EAP discount would transfer | TPV supports CLV - customer said "no" EAP; enrollment cancelled; customer put on DNCL; no refund |
| 5 | 12/1/2016 | Merrimack | E | | | | X | X | | | | | | | | Slam; Access to cancel | N/A (customer will contact CLV within rescission period) |
| 6 | 11/30/2016 | Exeter | U | | X | | | | | | | | | | | Utility ("impression" but paperwork said CLV) | N/A (CSEA provided information about competitive supply) |
| 7 | 11/25/2016 | Hillsboro | E | | | | | | X | | | | | X | | Hillsboro police; rep did not show ID | N/A |
| 8 | 11/23/2016 | Dover | E | | | X | | | | | | X | | | | Told EAP discount would transfer | switch to CLV before Sept 2016 training and change to TPV re EAP; refunded EAP discount |
| 9 | 11/22/2016 | UNK. | E | X | | | | | | | | | | | | Info - is CLV authorized? | N/A (CSEA confirmed CLV registered) |
| 10 | 11/22/2016 | Swanzey | E | | | | | | | | | | X | | | CLV rep came to her house | N/A (customer did not call CSEA back) |
| 11 | 11/21/2016 | Portsmouth | E | | | | | | | X | X | | | | | Customer uncomfortable leaving name with CSEA; Utility; pushy rep "would not take no for an answer" "hard to get rid of"; rep came back later same night | Denied allegations about misrepresentation; unable to get statement from rep, so deactivated from campaign |
| 12 | 11/18/2016 | Keene | E | X | | | | X | | | | | | | | customer worried about being "taken."; Access to cancel - changed mind | N/A - (customer got through to cancel) |
| 13 | 11/18/2016 | Keene | E | | X | | | | | | | | | X | | Utility, attempted to get into customer's apartment to use phone, secure building | Rep terminated because he didn't respond to CLV's request for response to complaint |
| 14 | 11/16/2016 | Keene | E | | X | | | | | X | | | | | | Utility; 4 visits in last week, wants CLV to stop | Denied allegations, customer put on DNCL |

| | DATE RECEIVED | CITY/TOWN | CO. | REASON FOR CONTACT | | | | | | | | | | SUMMARY | CLV RESPONSE | |
|----|---------------|---------------|-----|--------------------|---------|-----|------|--------|-------|--------|---------|--------|-------|---------|---|--|
| | | | | Info | Utility | EAP | Slam | Access | No ID | Refuse | Tactics | Misrep | Other | | | Police |
| 15 | 11/15/2016 | Concord | U | | | X | | | | X | X | | | | Elderly customer with comprehension/memory issues, EAP, posted no solicitation | Enrollment rescinded, Rep terminated because he didn't respond to CLV's request for respons to complaint |
| 16 | 11/15/2016 | Litchfield | E | | | | | X | | | | X | | | Access to cancel - changed mind, terms of contract not the same as represented by salesperson | Enrollment cancelled |
| 17 | 11/14/2016 | UNK. | UNK | | | | | X | | | | | | | Access | |
| 18 | 11/14/2016 | Seabrook | U | | X | | | X | | | X | | | | Elderly customer with comprehension issue, Utility, rep coached through TPV, access to cancel - changed mind | TPV supports CLV; enrollment cancelled (no response to allegation that rep claimed to be from utility) |
| 19 | 11/10/2016 | Nashua | E | | | | X | | | | | | | | Slam | TPV supports CLV; enrollment cancelled due to non-payment |
| 20 | 11/10/2016 | Belmont | E | | | | | X | | | | | | | Access to cancel - changed mind | N/A - customer got through to cancel |
| 21 | 11/8/2016 | UNK. | U | | | | | X | | | | | | | Access to cancel - changed mind | TPV supports CLV; enrollment cancelled; refund cost above utility rate |
| 22 | 11/2/2016 | Milford | E | | | | | X | | | | | | | Access to cancel - changed mind; uncomfortable with rep. | Cancelled within rescission period; customer put on DNCL |
| 23 | 11/2/2016 | East Kingston | U | | | | | | | | | | X | | Changed mind, wants to cancel | Cancelled within rescission period; customer put on DNCL |
| 24 | 11/1/2016 | Concord | U | | | | X | | | | | X | | | Slam, customer told he was providing personal information for a survey | TPV supports CLV; denied allegations about survey; enrollment cancelled within rescission period; trained and will monitor rep |
| 25 | 10/31/2016 | Concord | U | | X | | X | | | | | | | | Utility, Slam | TPV supports CLV; enrollment cancelled; rep trained |
| 26 | 10/31/2016 | UNK. | U | | | | | X | | | | | | | Access to cancel - changed mind | Cancelled within rescission period |
| 27 | 10/31/2016 | Milford | E | | | | X | | | | | | | | Slam | Account not switched b/c no TPV; rep terminated; customer put on DNCL |
| 28 | 10/31/2016 | UNK. | UNK | | | | | | | | | X | | | Constituent contacted him, CLV rep stated that utility's rates were going up 300%; upset that neighbor got a lower rate | N/A - CSEA advised Representative to have customer contact PUC directly |
| 29 | 10/28/2016 | Raymond | E | | | | | | | | X | | | | Utility, lost EAP discount, Pressure | Customer cancelled enrollment; TPV clear that CLV not Utility; Customer said "no" about EAP; rep trained, customer put on DNCL |
| 30 | 10/28/2016 | Raymond | E | | X | | | | | | | | | | Utility | Denied allegations; rep trained; customer put on DNCL |
| 31 | 10/28/2016 | Hudson | E | X | | | | | | | | | | | Info - questions about CLV and how it compares with other suppliers | N/A (CSEA provided information about competitive supply) |
| 32 | 10/27/2016 | Keene | E | | | X | | | | | | X | X | | Told 76% EAP discount would transfer; lost discount and almost disconnected by utility | Enrollment cancelled due to non-payment and disconnect notice; switch occurred before raling on 9/22/16 re EAP discount amd a question added to TPV on 9/23/16 re EAP discount; refunded EAP |
| 33 | 10/27/2016 | Manchester | E | | X | | | | | | | | | | Utility | Denied allegations; rep trained; customer put on DNCL |

| | DATE RECEIVED | CITY/TOWN | CO. | REASON FOR CONTACT | | | | | | | | | | | SUMMARY | CLV RESPONSE |
|----|---------------|------------|-----|--------------------|---------|-----|------|--------|-------|--------|---------|--------|-------|--------|--|--|
| | | | | Info | Utility | EAP | Slam | Access | No ID | Refuse | Tactics | Misrep | Other | Police | | |
| 34 | 10/22/2016 | Amherst | E | | | | | | | X | X | X | | | No solicitation, 2nd time; false info, pressure | Denied allegations; rep trained; customer put on DNCL |
| 35 | 10/20/2016 | Derry | E | | | X | | | | | | | X | | Lost EAP discount; told when called CLV "too late" to cancel enrollment | Refunded EAP discount (assume enrollment canceled) |
| 36 | 10/20/2016 | Milford | E | | | | | | | | X | | | | High pressure and pushy sales tactics | Denied allegations; no other complaints about rep., will monitor |
| 37 | 10/14/2016 | UNK. | E | | | | | | | | | | X | | CLV refused to cancel enrollment | No calls from customer to cancel; customer cancelled enrollment through utility |
| 38 | 10/12/2016 | Milford | E | | | | | | | | | | X | | Uncomfortable during TPV, TPV told her she can't talk with rep and TPV at the same time and hung up on her, not sure if she has a contract | N/A (CSEA gave customer telephone number to CLV) |
| 39 | 10/12/2016 | Kingston | E | | | | | | | | | X | | | Told "town voted" for CLV to be its supplier | New rep. may have said "city voted for deregulation" - misunderstanding; training and monitoring rep; customer put on DNCL |
| 40 | 10/11/2016 | Salem | L | | | X | | | | | X | | | | 91 year old mother, legally blind and deaf, lost EAP discount | Rep "no longer active"; enrollment rescinded, no loss of discount |
| 41 | 10/11/2016 | Winchester | E | | | | X | X | | | | | X | | Slam, no TPV, Access to cancel | TPV supports CLV; enrollment rescinded before service started |
| 42 | 10/11/2016 | UNK. | UNK | | | | | | | | | | X | | Changed mind, wants to cancel | N/A (CSEA gave customer telephone number to CLV) |
| 43 | 10/07/2016 | Farmington | E | | | | | X | | | | | | | Access to cancel - changed mind | Enrollment rescinded |
| 44 | 10/07/2016 | Rochester | E | | | | X | | | | | | X | | Slam, no TPV, told when he called of cancellation fee | TPV supports CLV, enrollment cancelled, customer put on DNCL |
| 45 | 10/07/2016 | Derry | E | | | | | X | | | | | | | Access to cancel - changed mind | Enrollment cancelled |
| 46 | 10/05/2016 | Nashua | E | | | X | | | | | | X | | | Told EAP discount would transfer | Enrollment already cancelled; switch to CLV before Sept 2016 training and change to TPV re EAP; refunded EAP discount |
| 47 | 10/05/2016 | Berlin | E | | X | | | | | X | X | | | X | Utility, "scary" rep, told not to solicit but reps returned, contacted local police | Denied allegations, rep had sample utility bill to show customers where to find account information for enrollment; reps trained |
| 48 | 10/04/2016 | Nashua | E | | | X | | | | | X | | | | Aggressive sales tactics with refugee family on EAP | N/A (CSEA gave customer telephone number to CLV) |
| 49 | 10/04/2016 | Bristol | E | | | X | | X | | | | | | | Lost 22% EAP discount; Access to cancel - changed mind | Cancelled within rescission period |
| 50 | 10/04/2016 | Colebrook | E | | | | | X | | | | X | | | Access to cancel - changed mind; misrepresentation about lower rate and no penalty from prior supplier | Denied allegations, enrollment cancelled, rep trained |
| 51 | 10/03/2016 | Manchester | E | | | | | | | X | | | X | | Rep refused to leave despite multiple requests, had copy of utility bill | No prior complaints about rep; rep trained and monitored; customer put on DNCL |
| 52 | 10/03/2016 | UNK. | E | | | X | | | | | | X | | | Told 52% EAP discount would transfer | switch to CLV before Sept 2016 training and change to TPV re EAP; refunded EAP discount |

| | DATE RECEIVED | CITY/TOWN | CO. | REASON FOR CONTACT | | | | | | | | | | | SUMMARY | CLV RESPONSE | |
|----|---------------|----------------|-----|--------------------|---------|-----|------|--------|-------|--------|---------|--------|-------|--------|---------|--|--|
| | | | | Info | Utility | EAP | Slam | Access | No ID | Refuse | Tactics | Misrep | Other | Police | | | |
| 53 | 09/29/2016 | Merrimack | E | | | | | | | X | | | | | | Rep refused to leave | Denied allegations; will monitor rep |
| 54 | 09/28/2016 | Newmarket | E | | | | | X | | | | | | | | Access to cancel - changed mind | Cancelled within rescission period; "IT Department" looking into phone issues |
| 55 | 09/28/2016 | Farmington | E | | X | | | | | | | | | | | Utility - 2 reps wearing Eversource hats | Unable to ID rep involved "without additional information"; all reps trained |
| 56 | 09/28/2016 | Milford | E | | X | | | | | | X | | | | | Utility; Aggressive sales tactics | Unable to ID rep involved "without additional information"; all reps trained, reps aware they will be terminated if legitimate complaint |
| 57 | 09/28/2016 | UNK. | E | | | | | | | | | | X | | | Changed mind, wants to cancel | Customer can contact CLV to cancel, no cancellation fee |
| 58 | 09/28/2016 | Farmington | E | | X | | | | | | | | | | | Utility | Denied allegations; misunderstanding; sent picture of rep in CLV uniform, rep trained |
| 59 | 09/28/2016 | UNK. | E | | | | | | | X | | | | | | 3 visits in 3 days, customer told reps not to come back | Unable to ID rep involved "without additional information"; all reps trained |
| 60 | 09/27/2016 | UNK. | E | | | | | X | | | | | | | | Access - questions about contract | N/A (CSEA gave customer telephone number to CLV) |
| 61 | 09/27/2016 | NASHUA | E | | X | | X | | | X | | | | | | Utility, slam, no solicitation | Unable to ID rep involved "without additional information"; all reps trained, reps aware they will be terminated if legitimate complaint |
| 62 | 09/26/2016 | Bristol | E | | | | | X | | | | | | | | Access to cancel - changed mind | Phone records do not show calls from customer; cancelled enrollment within rescission period |
| 63 | 09/26/2016 | Raymond | E | | X | | | | | | | | | X | | Utility, called police and utility security | Customer could not understand difference between CLV and utility; training and monitoring rep |
| 64 | 09/26/2016 | UNK. | L | | | | | | | | | | | X | | Changed mind, wants to cancel | Customer cancelled enrollment during rescission period |
| 65 | 09/23/2016 | Claremont | E | | | | | | | | | | | X | | CLV rep visited and promised low rate, he doesn't want to switch | N/A (CSEA confirmed no enrollment) |
| 66 | 09/23/2016 | UNK. | UNK | | | X | | | | | | | | | | Lost 52% EAP discount, was told she would save money | N/A (customer did not call CSEA back, but see second contact on 10/3/16, above) |
| 67 | 09/21/2016 | East Hampstead | UNK | | | | | X | | | X | | | | | Aggressive sales tactics; customer reluctantly agreed; access to cancel | Enrollment cancelled; phone records do not show calls from customer before complaint to PUC; no other complaints about rep, training and monitoring rep. |
| 68 | 09/16/2016 | UNK. | UNK | | | X | | | | | | | | | | Lost 52% EAP discount | N/A (customer did not call CSEA back) |
| 69 | 09/16/2016 | Goffstown | E | | | | | | | | X | | | | | Rep accessed secured building, husband with alzheimers pressed buzzer but other neighbors buzzed | N/A (CSEA provided information about competitive supply) |
| 70 | 09/16/2016 | Franklin | E | | X | | | | | X | | X | | | | Utility, 3 visits in 3 days; misrepresentation about utility owing customer money | Denied allegations; rep trained and shadowed in field |
| 71 | 09/15/2016 | Hudson | E | X | | | | | | | | | | | | Info - Is CLV allowed to solicit door-to-door | N/A |

| | DATE RECEIVED | CITY/TOWN | CO. | REASON FOR CONTACT | | | | | | | | | | SUMMARY | CLV RESPONSE | |
|----|---------------|---------------|-----|--------------------|---------|-----|------|--------|-------|--------|---------|--------|-------|---------|---|---|
| | | | | Info | Utility | EAP | Slam | Access | No ID | Refuse | Tactics | Misrep | Other | | | Police |
| 72 | 09/14/2016 | Manchester | E | | X | | | X | | | X | | | | Utility; Underhanded sales practices; Access | Enrollment cancelled; discussed with sales rep, who is aware he will be terminated if another complaint |
| 73 | 09/13/2016 | UNK. | UNK | X | | | | | | | | | | | Info | |
| 74 | 09/09/2016 | Manchester | E | | | X | X | | | | X | | | | Slam, EAP, Fast-talking, sneaky rep. | TPV supports CLV; girlfriend said she was spouse and authorized to switch; cancelled enrollment, refunded EAP discount |
| 75 | 09/08/2016 | Lebanon | L | | X | | | X | | | X | | | | Utility, Coercive sales tactics, Access | TPV supports CLV, denied misrepresentation; enrollment cancelled; rep trained and will be monitored |
| 76 | 09/07/2016 | Derry | E | | | | X | | | | | | | | Slam | Customer did TPV, but it is not clear from TPV that she understood terms of enrollment; enrollment cancelled; rep no longer "on campaign" |
| 77 | 09/06/2016 | Portsmouth | E | | | | | X | | | X | | | | Pressured, persistent sales tactics; Reps had copies of her Eversource bill; Access to cancel - changed mind | Phone records do not show calls from customer; cancelled enrollment; rep trained; misunderstanding about "sample" Eversource bill; customer put on DNCL |
| 78 | 09/06/2016 | Loudon | E | | | | | | | X | | | | | Posted no solicitation (PUC told CLV "did nothing wrong according to PUC rules") | Put customer on DNCL; advised reps tp stay away from this location |
| 79 | 09/01/2016 | UNK. | E | | | | | | | | | | | | Gave # for Clrvw | |
| 80 | 09/01/2016 | UNK. | L | | | | | | | | X | X | | | Rep gave confusing and incorrect information, wants to cancel enrollment, called CLV and was told he can't cancel | Rep on phone provided incorrect information when customer called; rep trained (CSEA did not convey allegations of confusing and incorrect information) |
| 81 | 09/01/2016 | North Walpole | L | | | | X | | | | X | | | | Slam, 88 year old, legally blind customer | TPV supports CLV; cancelled enrollment, put customer on the DNCL |
| 82 | 09/01/2016 | UNK. | E | | | X | | | | | | | | | Lost EAP discount, tried to cancel immediately | Phone records do not show call from customer; enrollment cancelled (no refund requested by CSEA or offered by CLV) |
| 83 | 09/01/2016 | Rochester | E | | | | | | | | | | X | | Changed mind, wants to cancel | enrollment cancelled |
| 84 | 09/01/2016 | Manchester | E | | X | | | | | | | | | | Utility - is CLV a "legal supplier for Eversource" | N/A (CSEA provided information about competitive supply) |
| 85 | 08/31/2016 | Manchester | E | | X | | | | | | X | | | | Utility; rep came into home uninvited, "unnerving" experience | Denied allegations; rep trained; customer put on DNCL |
| 86 | 08/29/2016 | Derry | E | | | | | X | | | | | | | Didn't realize enrolling until after TPV; Access to cancel - changed mind | N/A (CSEA gave customer telephone number to CLV) |
| 87 | 08/29/2016 | UNK. | E | X | | | | | | | | | | | Info - wanted to know where CLV got its energy; looking for local supplier | N/A (CSEA gave customer telephone number to CLV) |
| 88 | 08/29/2016 | UNK. | E | X | | | | | | | | | | | Info - wanted to know if CLV was legitimate company | N/A (CSEA confirmed CLV registered) |
| 89 | 08/29/2016 | Salem | L | | | | X | X | | | | | | | possible slam; Access to cancel | N/A (CSEA told customer she was in rescission period; customer will call CLV) |
| 90 | 08/29/2016 | Somersworth | E | | | | | | X | | X | | | | Refused to provide ID; rude, condescending, cocky, argumentative rep; felt uncomfortable | Denied allegations; new rep, no prior complaints, training; put customer on DNCL |

| | DATE RECEIVED | CITY/TOWN | CO. | REASON FOR CONTACT | | | | | | | | | | | SUMMARY | CLV RESPONSE |
|-----|---------------|----------------|-----|--------------------|---------|-----|------|--------|-------|--------|---------|--------|-------|--------|--|---|
| | | | | Info | Utility | EAP | Slam | Access | No ID | Refuse | Tactics | Misrep | Other | Police | | |
| 91 | 08/24/2016 | Manchester | E | | X | | | | | X | X | | | | Utility; Hard tp get to leave; didn't like rep's tactics | N/A (Customer to call CLV to get on DNCL) |
| 92 | 08/24/2016 | Hooksett | E | | X | | | | | | X | | | X | Utility - book with Eversource's name; Rep told customer she "wasted his time" when she said no; swore; she called police | Different customer at phone number provided by CSEA (Rose Osoro); denied allegations; no other complaints about rep; will monitor; both customers put on DNCL |
| 93 | 08/24/2016 | UNK. | UNK | | | | | | | | | | X | X | CLV at house, not Eversource customer, called police | N/A (no call back from customer to CSEA) |
| 94 | 08/19/2016 | Pittsfield | E | | | | X | X | | | | | | | Slam; Access to cancel | TPV supports CLV; enrollment cancelled |
| 95 | 08/19/2016 | Derry | E | | | | | | | | | X | | | CLV sold to mom, will cancel; should not be allowed to go door-to-door | N/A (CSEA told customer she was in rescission period; customer will call CLV) |
| 96 | 08/19/2016 | UNK. | UNK | | | | | | | | X | | | | Being scammed by CLV, shady | N/A (no call back from customer to CSEA) |
| 97 | 08/18/2016 | Berlin | E | X | | | | | | | | | | | Info - is CLV legitimate company? | N/A (CSEA confirmed CLV registered) |
| 98 | 08/18/2016 | Laconia | E | | X | | | | | | X | | | X | Utility; rude rep.; told to leave (1st encounter with CLV) | Customer enrolled during 2nd encounter with CLV, different reps; denied allegations about 1st rep, will monitor; customer put on DNCL |
| 99 | 08/18/2016 | Lebanon | UNK | X | | | | | | | | | | | Info - is CLV a scam? | N/A (CSEA confirmed CLV registered) |
| 100 | 08/15/2016 | Nashua | E | | | | | X | | | | | | X | Eldery; Access to cancel - enrolled in error | Cancelled enrollment; customer called twice but disconnected after 3 minutes - "unusually high volume of calls" |
| 101 | 08/15/2016 | Barrington | E | X | | | | | | | | | | | Info - is CLV legitimate company? | N/A (CSEA confirmed CLV registered) |
| 102 | 08/15/2016 | Rye | E | | | | | X | X | | | X | | | No intro, no ID; rep said CLV is "only supplier"; Access to cancel (email) | Denied allegations, misunderstanding; training and monitoring |
| 103 | 08/15/2016 | Nashua | E | | | | X | | | | | | | | Slam | TPV supports CLV; enrollment rescinded before service started |
| 104 | 08/15/2016 | Nashua | E | X | | | | | | | | | | X | Info - Specialist at Nashua police; received call inquiring about CLV - is it a legitimate company? Ok to go door-to-door? | N/A (CSEA confirmed CLV registered; directed to local officials for answer about door-to-door requirements) |
| 105 | 08/15/2016 | Rochester | E | X | | | | X | | | | | | | Access to cancel; info - requested info about competitive supply | N/A (CSEA gave customer telephone number to CLV) |
| 106 | 08/10/2016 | Grovelton | E | | | X | | X | | | | | | | Lost EAP discount; Access to cancel | Blocked enrollment |
| 107 | 08/10/2016 | Northumberland | E | | | | | X | | | | | | | Access? (not enough information provided) | N/A (CSEA gave customer telephone number to CLV) |
| 108 | 08/10/2016 | Rochester | E | | | X | | | | | X | | | | Told 77% EAP discount would transfer | Enrollment cancelled; refunded EAP discount lost |
| 109 | 08/09/2016 | Manchester | E | | X | | | | X | | X | | | | No ID, "barged into premises"; Utility - "working for Eversource"; "grabbed" customer's phone for TPV; customer terminated TPV | N/A (CSEA advised to contact Eversource to inquire about any pending enrollment and to call back if additional help was needed) |

| | DATE RECEIVED | CITY/TOWN | CO. | REASON FOR CONTACT | | | | | | | | | | | SUMMARY | CLV RESPONSE |
|-----|---------------|------------|-----|--------------------|---------|-----|------|--------|-------|--------|---------|--------|-------|--------|--|--|
| | | | | Info | Utility | EAP | Slam | Access | No ID | Refuse | Tactics | Misrep | Other | Police | | |
| 110 | 07/27/2016 | Keene | E | | X | | | X | | | | X | X | | Utility - "working with Eversource"; NAP "broke contract" by raising price; Access to cancel; ETF from NAP | Enrollment rescinded; no calls from customer; training and monitoring of rep |
| 111 | 07/27/2016 | Berlin | E | | X | | X | | | | | | | | Slam; Utility; ETF from ENH | TPV supports CLV, but rep told customer "calling to discuss Eversource bill", so rep removed; customer put on DNCL |
| 112 | 07/25/2016 | Gorham | E | | | | | | | X | | | | | Very persistent rep; customer kicked her out | N/A (CSEA provided information about competitive supply) |
| 113 | 07/21/2016 | UNK. | UNK | | | | | | | | | | X | | Upset about a call from CLV | N/A (no call back from customer to CSEA) |
| 114 | 07/18/2016 | UNK. | UNK | | | | | X | | | | | | | Access? (not enough information provided) | N/A (CSEA gave customer telephone number to CLV; confirmed no pending enrollment at utility) |
| 115 | 07/12/2016 | UNK. | UNK | | | | | | | | X | | | | CLV lied to him and vilified Eversource | N/A (no call back from customer to CSEA) |
| 116 | 07/08/2016 | UNK. | UNK | | | | | | | | X | | | | CLV rep told her that Direct Power "no longer eligible to do business" | N/A (CSEA confirmed Direct registered) |
| 117 | 07/08/2016 | Dover | E | | X | | | | | X | X | | | | Utility; "confusing and deceptive" sales practices | Denied allegations; training and monitoring of rep |
| 118 | 07/07/2016 | UNK. | UNK | X | | | | | | | | | | | Info - is CLV legal? | N/A (CSEA confirmed CLV registered; gave info about competitive supply) |
| 119 | 07/07/2016 | Derry | E | X | | | | | | | | | | | Info - is CLV legal? | N/A (CSEA confirmed CLV registered) |
| 120 | 07/05/2016 | Litchfield | E | | X | | | | | | | | | | Utility | Denied allegations; no enrollment; rep removed due to pattern of complaints |
| 121 | 07/01/2016 | Barrington | E | | | | | X | | | | | | | Access to cancel - changed mind | N/A (CSEA gave customer telephone number to CLV) |
| 122 | 07/01/2016 | Dover | E | | X | | | X | | | | | | X | Utility; TPV refused to explain and rep left during TPV; Access to cancel | TPV supports CLV, denied allegations; enrollment cancelled; no other complaints about rep, training |
| 123 | 06/29/2016 | Manchester | E | | | | | | | X | X | | | | CLV rep told roommate that they had to switch to keep their electricity; customer felt pressured; confirmation letter conflicted with what rep said; received confirmation letter after rescission period; when she called to cancel told by CLV of cancellation fee | TPV supports CLV, denied allegations - "miscommunication"; enrollment cancelled; training and monitoring of rep; customer put on DNCL |
| 124 | 06/29/2016 | Merrimack | E | | | | X | | | | X | | | | Slam; CLV "taking over" energy supply, other supplier going out of business; told she had to provide bill to keep service; closed community; customer cancelled enrollment | TPV supports CLV, denied allegations; rep removed due to a pattern of complaints |
| 125 | 06/24/2016 | UNK. | E | X | | | | | | | | | | | Info - is CLV legitimate company? | N/A (CSEA confirmed CLV registered) |
| 126 | 06/20/2016 | Laconia | E | | X | | | | X | X | | | | | Utility; aggressive and antagonistic sales tactics; asked rep to leave but rep said "no, had a permit"; rep came back two other days | Rep encountered a resident that was not interested and moved on; reps do not work on Sundays; instructed reps to stay away from street; put customer on DNCL |
| 127 | 06/16/2016 | Laconia | E | | | | | | | | X | | | | CLV rep told customer that CLV was "Eversource's energy supplier" and they needed updated information about Eversource account; customer asked rep to leave | Denied allegations; training rep; "no tolerance" for misrepresentation; will be starting welcome calls to inquire about experience with field personnel |

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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FILING INSTRUCTIONS:

a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:

DEBRA A HOWLAND
EXECUTIVE DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429

b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.

c) Serve a written copy on each person on the service list not able to receive electronic mail.