**Section 454.90 Code of Conduct**

Any person or entity required to be licensed pursuant to this Part shall:

a) Disclose in plain language in writing the nature of the services offered by the ABC;

b) Prior to the customer signing a contract, disclose that they are not employed by the electric utility operating in the applicable service territory;

c) *Disclose in plain language in writing to all persons it solicits:*

1) *before July 1, 2011, the total anticipated remuneration to be paid to it by any third party over the period of the proposed underlying customer contract and*

2) *on or after July 1, 2011, the total price per kilowatt-hour, and the total anticipated cost, inclusive of all fees or commissions received by the licensee, to be paid by the customer over the period of the proposed underlying customer contract. In the event a person or entity required to be licensed pursuant to this Part uses an electric supply usage estimate for a particular customer, the person or entity required to be licensed pursuant to this Part must use the same electric supply usage estimate for all service offers it presents to that particular customer;*

d) Any disclosure required by subsection (c) must be made prior to entering into the contract and signed by the customer;

e) *Disclose if applicable, to all customers, prior to the customer signing a contract the fact that they will be receiving compensation from the supplier;*

f) *Not hold itself out as independent or unaffiliated with any RES, or both, or use words calculated to give that impression, unless the person or entity offering service under Section 16-115C of the Act has no contractual relationship with any RES or its affiliates regarding retail electric service in Illinois;*

g) *Not utilize false, misleading, materially inaccurate, defamatory or otherwise deceptive language or materials in the soliciting or providing of its services;*

h) *Maintain copies of all marketing materials disseminated to third parties for a period of not less than three years;*

i) Maintain copies of all disclosure statements required in subsections (a) and (b) for a period of not less than three years;

j) *Not present electricity pricing information in a manner that favors one supplier over another, unless a valid pricing comparison is made utilizing all relevant costs and terms*; and

k) *Comply with the requirements of Sections 2EE, 2FF, 2GG and 2HH of the Consumer Fraud and Deceptive Business Practices Act* [815 ILCS 505/2EE, 2FF, 2GG and 2HH].

(Source: Amended at 35 Ill. Reg. 17602, effective November 1, 2011)