**Section 512.10 Definitions**

"Act" means the Public Utilities Act [220 ILCS 5].

"Alternative gas supplier" or "AGS" means Alternative Gas Supplier as defined in Section 19-105 of the Act.

"AGS sales agent" means "sales agent" as defined in Section 19-105 of the Act (220 ILCS 5/19-105). "AGS sales agent" does not include any agent, broker or consultant that is acting as agent for the customer and not soliciting enrollments on behalf of any individual AGS.

"Commission" means the Illinois Commerce Commission.

"Commission Approved Savings Guarantee Plan" means a savings guarantee plan offered to recipients of Low Income Home Energy Assistance Program (LIHEAP) funding*,* Low Income Home Water Assistance Program (LIHWAP) funding, or Percentage of Income Payment Plan (PIPP) funding which is approved by the Commission and which offers natural gas supply to customers at an amount that is less than the utility gas supply price.

"Complaint" means an objection made to an AGS by a customer or other entity as to its charges, facilities or service, the disposal of which complaint requires investigation or analysis.

"Customer," when used without additional modifying language, shall mean small commercial customers and residential customers collectively, as those terms are defined herein.

"Early termination fee" or "ETF" means a fee or penalty for terminating an agreement or contract for natural gas supply products or services provided by the AGS before the end of the contract term.

"Enrollment" means the process by which an AGS in any gas utility service area where customers are able to choose their natural gas supplier submits or executes a change in a customer's selection of a natural gas provider, enters into and effectuates a contract with a customer, and enrolls the consumer as a customer in the residential or small commercial gas transportation service program of the applicable gas utility.

"Fixed rate" means that the per-therm charge for natural gas supply remains the same for the term of the contract.

"Gas utility" means a gas utility as defined in Section 19-105 of the Act.

"Goodwill and institutional advertising" means any advertising either on a local or national basis designed primarily to bring the AGS’ name before the general public in such a way to improve the image of the AGS or to promote the AGS or the industry, and that does not:

contain information about prices, terms, or conditions of retail gas supply products or services offered by an AGS to customers; or

direct or induce customers to sign up for such products or services.

"Inbound enrollment call" means a telephone call to an AGS sales agent initiated by a customer that results in either an enrollment or a change of provision of the customer's natural gas supply service.

"In-person solicitation" means any enrollment attempt initiated or completed when an AGS sales agent is physically present with the customer.

"Letter of Agency" or "LOA" means the document described in Section 19-115(c)(1) of the Act.

"Pending enrollment" means a valid enrollment request has been submitted by an AGS and accepted by a gas utility but the beginning meter reading date upon which the switch will become effective has not yet occurred.

"Public utility" means "public utility" as defined by Section 3-105 of the Act.

"Rescission" or "to rescind" means the cancellation of an agreement or contract with an AGS before the AGS has submitted an enrollment request to the gas utility or within 10 business days after the date on the gas utility’s written notice to the customer confirming the switch.

"Residential customer" means a residential customer as defined in Section 19-105 of the Act.

"Send" or "Sent", when used in this Part to describe the action to be taken by an AGS of sending a document to a customer, may include, if agreed to by the receiving customer, transmission of the document to the customer via electronic delivery (e.g., fax or email).

"Small commercial customer" means small commercial customer as defined in Section 19-105 of the Act.

"Tariffed service" means tariffed service as defined by Section 19-105 of the Public Utilities Act (220 ILCS 5/19-105).

"Third party verification" or "TPV" means the process prescribed by Section 19-115(c)(2) of the Act.

"Transferred call" means any enrollment call to an AGS in which the customer did not directly dial an AGS Sales Agent. This includes calls that originate as live or automated calls to the customer, who then might select an option that results in the call being forwarded to an AGS Sales Agent. "Transferred call" does not include enrollment calls in which the customer directly dials an AGS call center and selects to be forwarded to an AGS Sales Agent from a call center menu or live operator. For purposes of enrollment compliance, transferred calls shall be treated as telemarketing within the meaning of Section 512.130.

"Transportation services" means transportation services as defined bySection 19-105 of the Act.

"Utility assistance recipient" *means a utility customer that received financial assistance in the previous 12 months from either the Low Income Home Energy Assistance Program (LIHEAP), Low Income Home Water Assistance Program (LIHWAP), or, at the time of enrollment is participating in the Percentage of Income Payment Plan (PIPP).* [220 ILCS 5/19-116]

"Utility gas supply cost" means the price per therm available from the Illinois Commerce Commission website applicable at the time the AGS offers or sell the products or services to the customer, including the date the price became effective and the date the price will expire.

"Variable rate" means that the per-therm charge for natural gas supply is subject to change during the term of the contract.

"Written" or "in writing" means a paper copy. When this Part requires information to be "written" or "in writing", an electronic copy satisfies that requirement so long as both the AGS and the customer have agreed to electronic communication.