**Section 512.130 Telemarketing**

a) In addition to complying with the Telephone Solicitations Act [815 ILCS 413], an AGS sales agent who contacts customers by telephone for the purpose of selling natural gas supply service shall provide the agent's name and identification number. The AGS sales agent *shall state* that the sales agent *represents an independent seller of* natural *gas* supply service, *certified by the Illinois Commerce Commission. An AGS sales agent shall not state or otherwise imply that* the sales agent *is employed by, representing, endorsed by, or acting on behalf of, a utility or a utility program*, a consumer group or a consumer group program, unless the AGS is, through the consumer group, offering services at prices, terms and conditions that are available solely to members of that organization, or a governmental body or a program of a governmental body. [815 ILCS 505/2DDD(c)(2.3)]

b) When it would be apparent to a reasonable person that a customer's language skills in the language of the solicitation are insufficient to allow the customer to understand and respond to a telephone solicitation in that language, or the customer or another person informs the agent of this circumstance, the agent must transfer the customer to a representative who speaks the customer's language, if such a representative is available, or terminate the call.  When an interpreter is used, a form consistent with Section 2N of the Consumer Fraud and Deceptive Business Practices Act [815 ILCS 505] must be completed.

c) An AGS sales agent shall, during the sales presentation to the customer, disclose the items listed in Section 512.110(a) and (c) through (n), unless the sales presentation is terminated by the customer before the disclosures are completed. An AGS sales agent may disclose the items in any order provided that all applicable items are explained to the customer prior to the agent obtaining the customer’s utility account number. An AGS may secure consent to obtain customer-specific usage information for the purposes of pricing a product through a verifiable customer consent or another Commission-approved process.

d) Any telemarketing solicitation that lead to a telephone enrollment must be recorded and retained for a minimum of two years. All telemarketing calls that do not lead to a telephone enrollment, but last at least two minutes, shall be recorded and retained for a minimum of six months. The recordings shall be provided upon request to Commission staff. Recordings of a customer who has completed a telephone enrollment shall also be provided to that customer upon request.

e) For telemarketing that leads to a completed telephone enrollment, a third-party verification must be used to authorize a customer's enrollment. The third-party verification must require the customer to verbally acknowledge that the customer understands the all disclosures required by Section 512.110(a) and (c) through (n). Each item must be disclosed to the customer individually to obtain clear acknowledgment of each disclosure. An AGS sales agent initiating a 3-way conference call or a call through an automated verification system shall drop off the call and shall not participate in or listen to the call, but shall not cause the call to be terminated once the 3-way connection has been established. The AGS shall not contact the customer after the TPV for a period of 24 hours unless contacted by the customer.

f) The UDS and contract shall be sent, in writing, to the customer within one business day after the natural gas utility's confirmation to the AGS of an accepted enrollment.

g) Upon a customer's request, the AGS shall refrain from any further direct telemarketing to that customer. The AGS shall notify its agents of a customer's request.