

Draft

electric generation suppliers (66 Pa. C.S. § 2803); electric distribution companies (66 Pa. C.S. § 2803), natural gas suppliers (66 Pa. C.S. § 2202); and natural gas distribution companies (66 Pa. C.S. § 2202). The Commission is authorized, to the extent it deems necessary, to promulgate interim guidelines to govern marketing practices under this section, until final regulations become effective.

66 Pa. C.S. § 3321 Marketing Standards.

(a) Definitions. The following words and phrases when used in this section shall have the meanings ascribed to them herein, unless the context clearly indicates otherwise. Words and phrases that are defined in other Sections of this Part shall retain the definitions ascribed by those other Sections.

(i) Door to Door Marketer. An Electric Distribution Companies; Electric Generation Suppliers; Natural Gas Distribution Companies or Natural Gas Suppliers, as defined in 66 Pa. C.S. § 2803, or 66 Pa. C.S. § 2203, and any other entity, whose employees, agents or other representatives engage in door-to-door solicitation of residential customers for electric generation supply or natural gas supply and/or related services.

(ii) Door to Door Representative. Shall mean any employee, agent, member, or other person who engages in door to door solicitation for electric generation supply, natural gas supply or related services. For purposes of this Section, any entity or person engaging in what is commonly referred-to as "multi-level marketing" to residential customers shall be subject to requirements of this section when engaged in door-to-door solicitation.

(iii) Door to Door solicitation. Making or attempting to make face-to-face or in-person contact with a residential customer or potential residential customer at the customer's residence for purposes of soliciting, selling or offering to sell, electric generation supply service or natural gas supply service or related services, or engaging or attempting to engage in such sales under such circumstances as would cause a reasonable person to feel substantial coercion to not terminate the encounter, should they choose to do so.

(b) The regulations promulgated hereunder shall, at a minimum, require:

(i) Each door to door representative shall clearly communicate to any person contacted, at the outset of the contact, the name of the entity by whom they are employed. No door-to-door representative shall, under any circumstances, represent to any customer or any other person, that they represent any entity other than the door to door marketer by whom they are engaged to make such sales, and no person so engaged is permitted to represent more than one door to door marketer to the same customer or group of customers.

(ii) All door-to-door sales, where a customer agrees to take service, must be followed by a Commission approved third party verification process. Such verification may be conducted by mail or by telephone, but shall not be conducted while any door to door representative is physically on or in the customer's premises. In the event such verification is performed by telephone, it shall take place no less than one quarter hour after the door to door representative has vacated the customer's premises.

(iii) Any door to door representative shall display photo identification issued by the door to door marketer on whose behalf they are soliciting, and such identification shall be displayed conspicuously and continuously during any contact. Such identification shall be presented to any customer at the outset of any contact and at any time during such