**Section 412.140 Inbound Enrollment Calls**

a) An ARES sales agent shall state that the agent represents an independent seller of electric power and energy service certified by the Illinois Commerce Commission. An ARES sales agent shall not state or otherwise imply that agent is employed by, representing, endorsed by, or acting on behalf of, a utility or a utility program, a consumer group or consumer group program, unless the ARES 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 program of a governmental body, unless the ARES has entered into a contractual arrangement with the governmental body and has been authorized by the governmental body to make the statements;

b) When it would be apparent to a reasonable person that a caller's language skills are insufficient to allow the customer to understand and respond to a telephone conversation or solicitation in the language spoken by the sales agent, 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) The ARES sales agent shall verbally disclose the items listed in Section 412.110(a) and (c) through (n). An ARES sales agent may disclose the items in any order so long as all applicable items are explained to the customer during the sales presentation;

d) All inbound enrollment calls that lead to an enrollment shall be recorded, and the recordings shall be retained for a minimum of two years. An inbound enrollment call that does not lead to an enrollment but lasts at least two minutes shall be retained for a minimum of six months. The recordings shall be provided upon request to Commission Staff or a customer who has completed a telephone enrollment;

e) The ARES shall send the UDS and contract to the customer within three business days after the electric utility's confirmation to the ARES of an accepted enrollment.

(Source: Amended at 46 Ill. Reg. 19509, effective November 23, 2022)