**Section 412.170 Conduct, Training and Compliance of ARES Sales Agents**

a) Each ARES shall conduct or cause to be conducted training for individual representatives engaged in in-person solicitation and telemarketing to residential customers on behalf of that ARES prior to conducting any solicitations on the supplier’s behalf. Each ARES shall submit a copy of its training material to the Commission on an annual basis (on or before June 1) and the Commission shall have the right to review and require updates to the material. After initial training, each ARES shall be required to conduct refresher training for its individual representatives every 6 months.

b) Each ARES shall perform or cause to be conducted criminal background checks on all employees and ARES sales agents engaged in in-person solicitation. The ARES shall maintain a record confirming that a criminal background check has been performed on its employees or sales agents in accordance with this Section and shall produce that record on request to Commission Staff.

c) An ARES sales agent shall be knowledgeable of the requirements applicable to the marketing and sale of power and energy service to the customer class being targeted. In addition to this Part, requirements pertaining to the marketing and sales of power and energy service may be found in other rules, the Act and the Consumer Fraud and Deceptive Business Practices Act.

d) All ARES sales agents shall be familiar with electric power and energy services that they sell, including the rates, payment and billing options, the customers' right to cancel, and applicable termination fees, if any. In addition, the ARES sales agents shall have the ability to provide the customer with a toll-free number for billing questions, disputes and complaints, as well as the Commission's toll-free phone number for complaints.

e) ARES sales agents shall not utilize false, misleading, materially inaccurate or otherwise deceptive language or materials in soliciting or providing services. ARES sales agents shall also fully comply with the requirements of Section 412.100, governing Marketing Materials.

f) No ARES agent shall make a record of a customer's electric utility account number unless all applicable disclosures are made to the customer and the customer has agreed to enroll with the ARES; the ARES has secured consent from the customer to obtain customer-specific information for the purpose of pricing a product through a verifiable customer consent or other Commission approved method; or the "record" is a recording required by Sections 412.130 and 412.140.

g) All ARES sales agents shall complete a training program that covers the applicable Sections of this Part. The ARES shall document the training of its sales agents and provide a certification to the Commission, in a format to be specified by Staff, showing that an agent completed the training program prior to a sales agent being eligible to market or sell electricity in Illinois. The ARES shall maintain records of certificates for three years from the date the training was completed. Upon request by the Commission or Commission Staff, an ARES shall provide training materials and training records, including refresher training as described in (a), within seven business days.

h) When an ARES contracts with an independent contractor or vendor to solicit customers on the ARES' behalf, the ARES shall confirm that the contractor or vendor has provided training in accordance with this Section.

i) Each ARES shall monitor marketing and sales activities to ensure that its ARES sales agents are providing accurate and complete information and complying with all laws and regulations.

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