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F2. CUSTOMER PROTECTIONS (Contd.)

A supplier must distribute a confirmation letter to all commercial customers by certified U.S. mail, verifiable facsimile or verifiable electronic mail within seven (7) days of the customer or legally authorized person signing a contract with the Supplier. The supplier shall be responsible for maintaining records that verify delivery and receipt of the confirmation letter, facsimile or E-mail. The confirmation letter must be sent to the business's principal office. The confirmation letter must include the date the letter was sent, the date the contract was signed, the term of the contract with end date, fixed or variable rate charged, the unconditional cancellation period, if any, any early termination fee, the Supplier's toll-free number, the Commission's toll-free number and any safety-related messages required by the Company. Suppliers must include a good-faith estimate of the Large Commercial customer's early termination fee, identifying the applicable pricing factors and an example of how the fee is calculated.

F3. SOLICITATION REQUIREMENTS

DEFINITIONS:

Alternative Gas Supplier (AGS) or Supplier means a marketer, broker, producer, or other entity that has received a license from the Commission and executed an Authorized Gas Supplier Agreement with the Company to deliver gas supplies to customers under Rate CC.

Customer:

- Residential means a purchaser (account holder) of natural gas that is supplied or distributed by a utility for residential purposes.
- Small Commercial means a non-residential customer (business name) **on the Small General Service rate.**
- Medium Commercial means a non-residential customer (business name) **on the Medium General Service rate.**
- Large Commercial means a non-residential customer (business name) **on the Large General Service rate** with usage of natural gas that is supplied or distributed by a utility for non-residential purposes.

Legally Authorized Person means the person that has legal documentation or legal authority to enroll a residential or commercial customer into a binding contract. A legally authorized person includes, but is not limited to, an individual with power of attorney or a corporate agent authorized to enter into contracts on a corporation's behalf.

Program means the Gas Customer Choice Program approved by the Commission.

The terms "signature" or "signed" includes electronic signatures as defined in the Michigan Uniform Electronic Transactions Act.

These provisions shall be monitored and enforced solely by the Commission or its Staff.

- (1) It is the Supplier's responsibility to have a current valid contract with the customer at all times. The Commission or its Staff may request a reasonable number of records from a Supplier to verify compliance with this customer verification provision and, in addition, may request

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F3. SOLICITATION REQUIREMENTS (Contd.)

records for any customer due to a dispute. For each customer, a Supplier must be able to demonstrate that a customer has made a knowing selection of the Supplier by at least one of the following verification records:

- (A) An original signature from the customer or legally authorized person.
 - (B) Independent third party verification with an audio recording of the entire verification call.
 - (C) An E-mail address if signed-up through the Internet.
- (2) Suppliers and agents who are soliciting customers must comply with the following requirements:
- (A) The Supplier and its agents must clearly identify the AGS on whose behalf they are soliciting.
 - (B) The Supplier and its agents must not represent themselves as employees or agents of the Company.
 - (C) The Supplier and its agents must affirmatively indicate if they are a marketing affiliate of the Company, that the affiliate is a separate entity and that the affiliate is not regulated by the Michigan Public Service Commission.
 - (D) The Supplier and its agents must submit residential and small commercial contract(s), marketing materials and scripts to the Commission Staff for review at least five (5) business days prior to using the materials in the marketplace.
 - (E) The Supplier and its agents cannot remove the original of the customer's bill from the residence or small commercial office **or medium commercial office**.
 - (F) The Supplier and its agents must comply with truth in advertising in all verbal, written, or electronic statements to the customer.
 - (G) A Supplier who is actively marketing and/or enrolling customers in the Company's territory will post to the Commission's gas rate comparison website at MI.gov/CompareMIGas its generally available offers for residential, small commercial customers **and medium commercial customers** per the Terms and Conditions of the AGS licensing application.
- (3) A Supplier must provide a copy of the contract to the customer, including all terms and conditions. The contract must contain all provisions as set forth in Section F2.

F4. SUPPLIER LICENSING AND CODE OF CONDUCT

DEFINITIONS:

Alternative Gas Supplier (AGS) or Supplier means a marketer, broker, producer, or other entity that has received a license from the Commission and executed an Authorized Gas Supplier Agreement with the Company to deliver gas supplies to customers under Rate CC.

Customer:

- Residential means a purchaser (account holder) of natural gas that is supplied or distributed by a utility for residential purposes.
- Small Commercial means a non-residential customer (business name) **on the Small General Service rate**.
- Medium Commercial means a non-residential customer (business name) **on the Medium General Service rate**.
- Large Commercial means a non-residential customer (business name) **on the Large General Service rate** with usage of natural gas that is supplied or distributed by a utility for non-residential purposes.

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