

RATE BOARD TERMS AND CONDITIONS

I. INTRODUCTORY MESSAGE TO RESIDENTIAL AND SMALL BUSINESS ELECTRIC CUSTOMERS USING THIS WEBSITE

The Rhode Island Division of Public Utilities and Carriers (“DPUC”) has designed and developed a Web application that displays the rates and other terms of the growing number of energy suppliers (“Suppliers”) offering their energy (electricity) products to Rhode Island residents and small businesses.

It is important to note that the Suppliers who post their rates and terms on this website (“Website”) are **not** regulated “public utilities” under Rhode Island law. Under Rhode Island law, these companies are called “non-regulated power producers.” Accordingly, the rates offered by these Suppliers are set by the Suppliers and are not regulated by the State.

These Suppliers are, nonetheless, subject to certain minimal regulatory requirements, including: (1) that they be registered by the DPUC, which permits them to sell their energy products in Rhode Island, and (2) that they adhere to certain *Consumer Protection* requirements, which mandate that their contracts be written in plain English and contain information on the applicable pricing, fees and term of service, rights and methods associated with terminating service, required deposits, budget plan availability, dispute resolution process, contact telephone numbers and the possibility of market adjustment charges or credits. [See Section II, below, for a detailed listing.] Consumer complaints or disputes regarding these specific requirements fall within the DPUC’s regulatory jurisdiction. Conversely, however, complaints and disputes that fall outside these narrowly defined-requirements can only be resolved through appropriate judicial measures.

The Website has been created to provide residential and small business electricity customers the opportunity to compare the **fixed-rate** energy supply products currently available from Suppliers registered to operate in Rhode Island. It is important to emphasize that selecting one of these Suppliers will not end your relationship with your current local distribution company (“LDC”) (i.e., National Grid). You will continue to be billed monthly for the **distribution/delivery** services that your LDC provides. If you decide to contract with a Supplier for energy **supply** services, your energy supply will now come from the Supplier instead of from your LDC. As a consequence, your monthly electric bill will reflect services from, and payments due, to both your LDC and your selected energy Supplier.

You will not be able to contract with a Supplier directly through the Website. Instead, you will find links on the Website that will take you directly to the Supplier and its advertised energy product. Finalizing your selection will take place through the Supplier’s website or through direct contact with a sales representative of the Supplier. (The Supplier may offer many different products, not all of which are a fixed-rate. Consumers should be make sure that they understand the terms of the product they sign up for, including whether that product is a fixed-

rate product like the one listed on this website or a product with a variable rate, the term for which they are agreeing to take the product, and when and how they may terminate their contract, and whether there will be penalties for terminating the contract early.)

II. REQUIREMENTS FOR ENERGY SUPPLIERS POSTING TO THIS WEBSITE

- A. Only Suppliers registered by the DPUC can list on the Website;
- B. A Supplier can include its logo and a brief description of its company and/or product offerings on the Website;
- C. Listing energy supply products on the Website is voluntary;
- D. Supplier participation on the Website is contingent on successfully completing testing with the entity that hosts the Website;
- E. Each Supplier will be responsible for uploading its product information to the Website;
- F. If a Supplier uploads incorrect product information to the Website, the Supplier will have the ability to remedy the problem by removing the product from the Website for the remainder of the 24-hour period (see “M” below). Suppliers will not be permitted to revise the incorrect information;
- G. **Only fixed-price products may be listed** (no variable-price products);
- H. If the product is a tiered product – that is, the rate will change at specific points during the term of the agreement – each tier of the product must be at least three (3) months in duration, and the rate for each tier must be a fixed-rate for the full duration of that tier;
- I. Fixed-price products must include the following terms and conditions:
 - 1. The contract term for fixed-price products must be expressed in months;
 - 2. The specified price for the product must be expressed as cents per kilowatt-hour (kWh”) and remain unchanged for at least three (3) months (not including introductory price offers);
 - 3. Suppliers must express an introductory offer as cents per kilowatt-hour (kWh”) and identify the number of months (**at least three (3) months**) an introductory price offer will be in effect;
 - 4. The terms and conditions for the product must not allow changes in the specified price;
 - 5. No contract for electric supply may require a residential customer to pay any fee for termination or early cancellation of a contract in excess of fifty dollars (\$50.00), or twice the estimated bill for energy services for an average month, whichever is less, as mandated by R.I.G.L. § 39-26.7-6(a);
 - 6. For products with an **automatic renewal provision**, Suppliers must identify: (1) the pricing structure that will be in effect during the term of the automatic renewal, and (2) the term (in months) during which the new pricing structure will be in effect. Suppliers must also provide customers with written notice, at least thirty (30) days prior to the effective date of the renewal period, which reminds customers of the automatic renewal provision in their contract and the rate structure that will be in effect during the renewal period.

- J. For renewable energy products, Suppliers must:
 - 1. Express the percentage of the product that is composed of renewable energy resources in increments of five percent;
 - 2. Identify the types of renewable energy resources included in the product (i.e., solar, wind, hydro or biomass), and for each identified resource type, (1) list the percentage of the product that is composed of the resource type, or (2) indicate that the percentage is unknown; and
 - 3. Identify the locations of the renewable energy resources included in the product and, for each location, (1) list the percentage of the product that is composed of renewable energy in the specified location, or (2) indicate that the percentage is unknown.
- K. Suppliers must include, for each product listed on the Website, a link that take Users directly to the page on the Supplier's website that includes information related to the product (not to the Supplier's homepage);
- L. Products listed on the Website must be available to all customers in a customer class;
- M. If a product listed on Empower RI is only available on the Empower RI rate board, that limitation must be spelled out in the plan details;
- N. Suppliers may update product information listed on the Website on a daily basis;
- O. Updated product information will be posted on the Website at a specified time (e.g., at 5:00 a.m. each day), and will be available for purchase for the subsequent 24-hour period;
- P. Suppliers must honor all products listed on the Website during the applicable 24-hour period;
- Q. The DPUC may rescind a Supplier's ability to participate on the Website for reasons that include, but are not limited to:
 - 1. Failure to honor the product offerings listed on the Website;
 - 2. Excessive removal of products on an intra-day basis; and
 - 3. Violations of regulatory requirements.

III. DISCLAIMER

While the DPUC has attempted, in good faith, to ensure the information presented on the Website is accurate, there may be inadvertent (technical and factual) inaccuracies and typographical errors in the information presented. The Website is designed to offer energy suppliers that are certified to do business in Rhode Island an opportunity to present their respective fixed-price energy products in a unified fashion that allows prospective customers to compare their offers at a glance. It is the Suppliers who are posting their product information to the Website. The DPUC is not assisting Suppliers in the posting process, and, therefore, cannot take responsibility for any errors that may be contained in the postings.

If you believe there is an error on the Website, please contact Rebecca Harwood at: Rebecca.Harwood@dpuc.ri.gov