



TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 929-6611
Fax (978) 929-6350

Steven L. Ledoux
Town Manager

August 4, 2017

Nancy Stevens, Director – Consumer Division
Massachusetts Department of Public Utilities
One South Station
Boston, MA 02110

Re: CleanChoice Energy

Dear Ms. Stevens:

We are writing on behalf of the Town of Acton to inform you of a misleading marketing campaign that a competitive electric supplier, CleanChoice Energy, is running in our town.

The town is in the process of launching a municipal aggregation program that will provide clean energy to the citizens of Acton. The standard aggregation product includes additional renewable energy and comes at a price slightly below basic service, and the optional product is 100% renewable.

The town's opt-out letter is scheduled to be mailed on August 16, 2017. Customers that do not opt out will be enrolled with their October meter reads.

As the town has been finalizing its program launch, CleanChoice Energy has been sending a marketing letter to Acton residents. However, rather than identifying itself clearly as a marketing offer from a private company, the letter misleads customers by creating the impression that it is a government communication.

The deception starts with the envelope. The name of the sender, CleanChoice Energy, appears nowhere on the envelope -- not on the front, not on the back. The first and most prominent word on the envelope, in capital letters and bold type, is "NOTICE". Since notices are issued by government agencies, not private firms, this language creates the impression that the letter is a government communication. This impression is reinforced by the style of the envelope. Rather than a flap envelope, the type typically used for marketing mailings, it is a tear-off envelope, the type used for government checks. The envelope also features the grey textured background common to government mailings.

The deception continues with the letter itself. The name of the firm, CleanChoice Energy, does not appear at the top of the page in bold or colored type as is typical for a business communication. In fact, there is no logo or corporate branding anywhere on the page. The company name only appears at the very bottom, as part of the signature block, where an unsuspecting consumer would miss it. Moreover, like the envelope, the overall style of the

letter is that of a government communication. This is not the work of a reputable corporate firm trying to persuade customers of the strength of their brand; it is the work of a trickster trying to deceive customers into thinking they are something that they are not.

We have heard from several residents in town that they have been confused by this letter. They heard a Town program is coming, then received this letter and assumed it was from the Town.

In light of the misleading material sent to Acton residents, we ask the Department of Public Utilities to do the following:

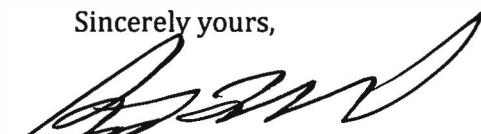
1. Direct CleanChoice Energy to cease sending marketing materials designed to look like government mailings. In particular, the Department should require that:
 - a. The company prominently display its name and logo on both the front of the envelope and the top of the letter.
 - b. The company cease using the term "notice" on its envelopes and letters.
 - c. The company prominently display the following disclaimer in all marketing letters:

CleanChoice Energy is a private, for-profit company. It is not affiliated with your town's electricity program.
2. Because Acton enrollments were likely the result of misleading marketing materials, direct that CleanChoice Energy return those customers to Basic Service. If there are customers on the list whose enrollments have not been processed, those enrollments should be cancelled.
3. Provide the list of any recently enrolled customers to the Town of Acton so that the town can ensure they receive the 30-day notification/opt-out letter for the aggregation and know that they can enroll if they wish.

It is our understanding the CleanChoice Energy has sent similar misleading marketing materials to residents of other communities that are launching aggregations, including the City of Cambridge and the Town of Lexington. Accordingly, the Department may wish to expand its inquiry to include those communities.

Thank you for your consideration.

Sincerely yours,



Steven L. Ledoux
Town Manager

Enclosures (4)

Resident:

Action Requested By:

7/31/17

As an Eversource customer, you now have the option to ensure that every kilowatt of electricity in the [REDACTED] home is sourced from clean, renewable sources.

All you have to do is sign and return the enclosed clean energy form.

Dear [REDACTED]

You can now choose the option of replenishing all the energy you use with electricity from 100% renewable solar and wind sources.

It couldn't be easier to convert to clean energy. In fact, you barely have to do anything at all. Just use the enclosed form to choose clean energy from renewable sources.

There's no new equipment needed, no home visit necessary. Use electricity exactly as you do now. Your bill will still come from Eversource. Your clean energy option supply will come from CleanChoice Energy.

All you have to do is return the Sign & Switch Form. Please be sure to include your Eversource Account Number on your Sign & Switch Form.

Ensure a better environment for all with 100% clean, pollution-free electricity.

Sincerely,



Tom Crowder
Customer Relations
CleanChoice Energy

Please note that your electricity supply cannot be switched unless your instructions are received. Please sign and return the form by 7/31/17.

You can also go online to www.mycleanenergyoption.com or call (800) 968-1620 to make your choice.

Important offer details: By responding to this letter you will be enrolling for electricity supply service from CleanChoice Energy – a licensed supplier in Massachusetts. This is not a letter from Eversource. Your utility will still maintain the wires, send your bill, and provide reliable service. This offer is valid for Massachusetts residents in Eversource's service territory. If you choose to enroll, you will receive full terms and conditions further explaining the details of your plan. Offer expires 07/31/17.

Electric Generation Supplier Information		CleanChoice Energy Massachusetts Department of Public Utilities License No. CS-103 1055 Thomas Jefferson St NW #650 Washington, DC 20007 (800) 968-1620 support@cleanchoiceenergy.com www.cleanchoiceenergy.com
Price Structure		Variable month to month
Supply/Generation Price	15.318¢/kWh	
Statement Regarding Savings	CleanChoice Energy does not guarantee savings with this plan	
Contract Start Date	This contract will be effective after Eversource processes your enrollment	
Contract Term/Length	Monthly billing cycle to monthly billing cycle until cancelled by either party	
Cancellation/Early Termination Fees	\$0 - No Cancellation Fee / No Early Termination Fee	
Renewal Terms	This contract renews month-to-month until cancelled by either party	
Electric Distribution ("Utility") Company Information	Eversource is responsible for distribution charges, emergencies & outages Eversource 247 Station Drive Westwood, MA 02090, 800-592-2000, www.eversource.com	

Electricity Source	CleanChoice Energy	NE ISO Fuel Mix
Coal	0%	3.60%
Gas	0%	48.54%
Nuclear	0%	28.55%
Oil	0%	1.82%
Refuse	0%	3.07%
Renewable Energy:		
Wind	89%	2.91%
Methane	0%	0.04%
Solar	1%	0.43%
Hydro	0%	7.48%
Landfill Gas	0%	0.28%
Wood/Biomass	0%	3.21%
NE ISO System Fuel Mix 2015		

Average Generation Price Information				
Monthly kWh Usage	250	500	1000	2000
100% Renewable Energy Supply from CleanChoice Energy at 15.318¢/kWh	\$38.30	\$76.59	\$153.18	\$306.36
Standard Offer Generation Service at 10.318¢/kWh	\$25.80	\$51.59	\$103.18	\$206.38

Your average generation price will vary according to how much electricity you use. See your most recent bill for your monthly use and the Terms of Service or your bill for actual prices.

Important Rate Information: Our rate is for your electricity supply service and does not include any additional tax, distribution service charges, or other Utility fee or Charge. Supplier rates are not regulated. You will receive a variable supply rate with an introductory price for the first three (3) monthly billing cycles. CleanChoice Energy's current fixed energy supply rate is: 15.318¢/kWh. Thereafter, unless you renew to a new fixed rate, this contract will automatically renew to a variable rate on a month-to-month basis. A variable supply rate is subject to change based on a number of factors, including but not limited to the cost to supply electricity in the PJM Interconnection, LLC market (including energy, capacity, settlement, ancillary services, renewable energy, distribution charges and other market-related factors).

Product Information: 100% of your electricity usage will be produced by wind and solar generation facilities. Electricity is the product of a mix of energy sources that is delivered over a system of wires. You will not have electricity from a specific generation facility delivered directly to your service address, but CleanChoice Energy ensures that your electricity usage is offset by the generation of energy from renewable energy sources on an annual basis. The energy your home uses will be paired with renewable energy sources through the purchase of Renewable Energy Certificates.

Additional Information: You may cancel or rescind your enrollment without penalty within three days of receiving a written confirmation of agreement and Terms and Conditions statement. CleanChoice Energy is solely responsible for the content of this marketing material and for the selling to, solicitation and enrollment of customer for energy supply services. For CleanChoice Energy's privacy policy, please visit <https://cleanchoiceenergy.com/disclosures/privacy/>. The Information Disclosure Label will be provided to you with your terms of service. You may also obtain the label at anytime by www.cleanchoiceenergy.com/MALabel. You may also request that a label be mailed to you by calling (800) 968-1620.

Important offer details: By responding to this letter you will be enrolling for electricity supply service from CleanChoice Energy – a licensed supplier in Massachusetts. This is a letter from Eversource. Your utility will still maintain the wires, send your bill, and provide reliable service. This offer is valid for Massachusetts residents in Eversource's service territory. If you choose to enroll, you will receive full terms and conditions further explaining the details of your plan. Offer expires 07/31/17.

Electric Generation Supplier Information	CleanChoice Energy Massachusetts Department of Public Utilities License No. CS-103 1055 Thomas Jefferson St. NW #650 Washington, DC 20007 (800) 988-1620 support@cleanchoiceenergy.com www.cleanchoiceenergy.com
Price Structure	Variable month to month
Supply Generation Price	15.3184/kWh
Statement Regarding Savings	CleanChoice Energy does not guarantee savings with this plan
Contract Start Date	This contract will be effective after Eversource processes your enrollment
Contract Term Length	Monthly billing cycle to monthly billing cycle until canceled by either party
Cancellation/Early Termination Fees	\$0 - No Cancellation Fee / No Early Termination Fee
Renewal Terms	This contract renews month-to-month until canceled by either party
Electric Distribution ("Utility") Company Information	Eversource is responsible for distribution charges, emergencies & outages Eversource 247 Station Drive Westwood, MA 02090, 800-592-2000, www.eversource.com

Electricity Source	CleanChoice NE ISO Energy		Average Generation Price Information			
	Fuel Mix		250	500	1000	2000
Coal	0%	3.60%				
Gas	0%	48.54%				
Nuclear	0%	20.59%				
Oil	0%	1.82%				
Hydro	0%	3.07%				
Renewable Energy:						
Wind	99%	2.91%				
Vegetable	0%	0.04%				
Solar	1%	8.43%				
Hydro	0%	7.48%				
Geothermal	0%	0.20%				
Wood/Biomass	0%	3.21%				
NE ISO System Fuel Mix 2015						
Your average generation price will vary according to how much electricity you use. See your most recent bill for your monthly use and the Terms of Service or your bill for actual prices.						

Important Rate Information: Our rate is for your electricity supply service and does not include any additional tax, distribution service charges, or other Utility fee or Charge. Supplier rates are not regulated. You will receive a variable supply rate with an introductory price for the first three (3) monthly billing cycles. CleanChoice Energy's current fixed energy supply rate is: 15.3184/kWh. Thereafter, unless you renew to a new fixed rate, this contract will automatically renew to a variable rate on a month-to-month basis. A variable supply rate is subject to change based on a number of factors, including but not limited to the cost to supply electricity in the PJM Interconnection, LLC market (including energy, capacity, settlement, ancillary services, renewable energy, distribution charges and other market-related factors).

Product Information: 100% of your electricity usage will be produced by wind and solar generation facilities. Electricity is the product of a mix of energy sources that is delivered over a system of wires. You will not have electricity from a specific generation facility delivered directly to your service address, but CleanChoice Energy ensures that your electricity usage is offset by the generation of energy from renewable energy sources on an annual basis. The energy your home uses will be paired with renewable energy sources through the purchase of Renewable Energy Certificates.

Additional Information: You may cancel or rescind your enrollment without penalty within three days of receiving a written confirmation of agreement and Terms and Conditions statement. CleanChoice Energy is solely responsible for the content of this marketing material and for the selling to, solicitation and enrollment of customer for energy supply services. For CleanChoice Energy's privacy policy, please visit <http://cleanchoiceenergy.com/disclosure/privacy/>. The Information Disclosure Label will be provided to you with your terms of service. You may also obtain the label at anytime by www.cleanchoiceenergy.com/ILLabel. You may also request that a label be mailed to you by calling (800) 988-1620.

Reply Today!
Choose Clean Energy.

I have received and understand the terms and nature of my service for my new renewable energy plan. I authorize this enrollment for 100% renewable energy supply by signing this form. I understand that I can switch my supply back at any time.

Frequently Asked Questions About Switching to Clean Energy

Q. If I switch my electricity to clean, renewable sources, who will my utility company be?

A. Eversource will still maintain the wires, prepare your bill and provide reliable service. The only thing that would change is where Eversource gets its electricity from: clean, renewable solar and wind sources.

Q. Where will the clean energy come from?

A. When you switch to clean energy, Eversource will get your clean energy option from licensed supplier CleanChoice Energy. The energy will come from regional solar and wind farms.

Q. What will happen to my electricity bills?

A. In short, supporting new renewable energy development costs more than delivering polluting energy. That's because the energy you are choosing is better for you and the planet. When you add more renewable energy to the electric grid, you are reducing toxic waste and air pollution, making the world a healthier place with cleaner air.

Q. What if the power goes out?

A. Call Eversource just as you always have. Outages will be no more or less likely than they've ever been.

Q. Outside of supply charges, are there any charges or fees if I decide to switch?

A. We do not charge any fees to switch. And you can switch back to your utility at any time.

Q. If I get my electricity from clean, renewable sources, will I really be helping the environment?

A. Yes—and in a number of ways. Obviously, you'll be greatly reducing your household's "carbon footprint," by offsetting your electricity usage with electricity that comes from clean, renewable sources, rather than by burning fossil fuels and releasing pollution into the atmosphere. You'll also be helping to increase demand for clean energy in your area, paving the way for your community, the entire state, and ultimately the country, to become less reliant on energy from fossil fuels.

Q. Can I switch to clean energy if I rent my home?

A. Yes. If you currently receive and pay your electric utility bill every month on your own, then you can choose our clean energy option. Just sign and return the form below (You don't even have to inform your landlord!). However, if you live in a building where all units' electricity usage is rolled into one bill, then you would need to convince the person who manages that utility bill to switch the entire building to clean energy.

Q. What's involved in switching to clean energy?

A. All you do is sign and return the Sign & Switch Form below. There will be no interruption of service, no service calls to your home, no new equipment needed. That's because the switch is actually at the utility company, not at your house. All you're changing is your energy provider.

▼ Detach and return form below ▼

CLEAN ENERGY SIGN & SWITCH FORM

Important: You must provide your Eversource Account Number. This can be found on your most recent bill.

Eversource
Territory Customer

Return this form in the postage-paid envelope enclosed
to choose renewable energy. You can also switch by visiting
www.mycleanenergyoption.com or calling (800) 988-1620.

From:

Aetion, MA 01720-2410

Email: _____

Priority Code 3844684ACAZE

I authorize CleanChoice Energy to enroll my address shown at left for 100% renewable energy. I have reviewed and accept the enclosed terms and conditions. I understand that a change to my energy supplier may result in a charge and that I may designate only one competitive supplier. I authorize this enrollment by signing this form.

X

Signature

Date

Your Account Number with Eversource

 □ □ □ □ □ □ □ □ □ □ □

(Required)