

## **515-7-10-.02 Customer Enrollment.**

(1) An order change for commodity sales service or distribution service shall not be submitted to a customer's existing marketer (or to the electing distribution company, if the customer has not yet selected a marketer) by a succeeding marketer or representative thereof unless and until such time as the existence of proper customer authorization to take such action is confirmed. For purposes of this Rule, "succeeding marketer" shall mean any marketer to whom a customer's account for commodity sales service or distribution service has been switched at such customer's request.

(2) The requisite confirmation shall be obtained by a succeeding marketer in at least one of the following manners:

(s) The succeeding marketer must obtain the customer's written authorization to effect such change utilizing a letter of agency that meets the requirements of Commission Rule Chapter 515-7-10-.04; or

(b) The succeeding marketer shall obtain the customer's verbal or electronic authorization to effect such change. All marketers electing to confirm sales verbally or electronically shall establish one or more toll-free numbers exclusively for that purpose. Calls placed to these numbers must connect a customer to a voice response unit or other similar device that will automatically record the origin of the number from which the call is placed, the type of service for which a change is requested, the marketer, regulated provider, or electing distribution company from which the customer is presently receiving the service(s) for which a change is requested, the identity of the person requesting the change, information verifying the identity of the customer and the time and date on which a request for a change is made; or

(c) A qualified, independent third party has obtained the customer's verbal confirmation of authorization to submit the service change order, which confirmation is recorded by audio or electronic means that include the data and time of the transaction. The independent third party serving in this capacity shall confirm the change previously requested by use of appropriate verification data; or

(d) By any other verification procedures that may be specified by the Commission.

(3) Within seven (7) business days following confirmation by the electing distribution company that a customer's service has been switched, the succeeding marketer shall send each new customer via first class enrollment materials that contain, at a minimum, the following information:

(a) A written acknowledgement confirming that an order has been placed by a particular customer on a specified date;

(b) The name of the marketer that the customer has requested to provide service and the date on which the service will commence with the marketer;

(c) The marketer's terms and conditions of service;

(d) The marketer's fixed or variable term agreement offered to the customers, including the published price in effect at the time the change of service was confirmed pursuant to Commission Rule 515-7-10-.02(2);

(e) The mailing address, telephone number and e-mail address where the customer can notify the marketer to rescind an agreement pursuant to Commission Rule 515-7-9-.05, and the type of confirmation the customer will receive to verify that the said agreement was cancelled;

(f) The address and telephone number of a customer service representative of the succeeding marketer to whom consumer complaints may be forwarded, as well as the mailing address, Internet address, and telephone number of the Commission's Consumer Affairs Office;

(g) A copy of disclosure statement as required by Commission Rule 515-7-9-.04.

(4) Any marketer that uses a person, firm, company, partnership, corporation, association or entity in the marketing or telemarketing of its services shall be held accountable for any and all actions in which said person, firm, company, partnership, corporation, association or entity engage on behalf of the marketer, including, but not limited to, the imposition of penalties for violation of these or other Commission rules.

(5) In the event that a marketer uses another entity to send customers invoices for services rendered, the name of the marketer that is actually providing the natural gas service, as the name appears on its certificate of authority, must be conspicuously listed on the bills, subject to space limitations.

Authority O.C.G.A. Secs. 46-4-158.2, 46-4-158.3, 46-4-160. **History.** Original Rule entitled "Customer Enrollment" adopted. F. Sept. 3, 2002; eff. Sept. 23, 2002.