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Electric Consumers Win under Sperian Energy Settlements

As a result of a global settlement, Sperian Energy, an Alternative Retail Electric Supplier (ARES), will refund a total of \$2.65 million to Illinois consumers. Additionally Sperian has voluntarily suspended all marketing efforts in Illinois for two years. This is the most significant multi-agency enforcement action against an ARES to date. Once finalized, refunds will be directed to current and former Sperian customers.

“The Commission is committed to ensuring that all alternative energy suppliers operate in compliance with the law so that consumers can make a fully informed decision about their electric supplier,” said Cholly Smith, Executive Director of the Commission. “This settlement is the culmination of months of work and extensive collaboration between Commission Staff and the Attorney General and represents a real victory for Illinois consumers.”

In July 2015, the Commission initiated a proceeding against Sperian Energy, directing the company to appear before the Commission in response to allegations that the Company’s marketing of retail electric products violated both the Public Utilities Act and the Commission’s Rules. The allegations stemmed from customer complaints made to the Commission’s Consumer Services Division about both door-to-door sales and telephone solicitations. In 2017, the Attorney General filed a separate action against Sperian in Circuit Court, alleging Sperian’s actions constituted multiple violations of the Illinois Consumer Fraud and Deceptive Practices Act and the Telephone Solicitation Act.

The global settlement is memorialized in two parts. A consent decree between Sperian and the Attorney General resolves the civil case and outlines the amount and process for distributing customer refunds. A settlement administrator will be engaged to identify customers who are eligible for a refund and to process the payments. A separate settlement agreement between Sperian, Commission Staff, the Attorney General, and the Citizens Utility Board details additional marketing restrictions to which the company will be subject for the next five years. The Commission is expected to approve the settlement on October 25, 2018; the Circuit Court of Cook County must also enter an order approving the consent decree. The

settlement agreement for Docket No. 15-0438 is available for review on the [ICC website](#). Sperian admits no liability in either agreement.

Detailed information on the Energy Choice Program, including the alternative energy suppliers certified in Illinois, can be found at the Commission's website at www.pluginillinois.org. Consumers who have questions or complaints about the marketing practices of an alternative energy supplier are urged to call the Commission's Consumer Services Division at 800-524-0795.

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About the Illinois Commerce Commission

The Illinois Commerce Commission (ICC) is a quasi-judicial body made up of five Commissioners. Through its Public Utility Program, the Commission oversees the provision of adequate, reliable, efficient and safe utility services at the least possible cost to Illinois citizens served by electric, natural gas, telecommunications, water and sewer public utility companies. Through its Transportation Regulatory Program, the Commission oversees public safety and consumer protection programs with regard to intrastate commercial motor carriers of general freight, household goods movers, relocation towers, safety towers, personal property warehouses and repossession agencies. The Commission's Rail Safety Program also inspects and regulates the general safety of railroad tracks, facilities and equipment in the state.

To learn more about the Commission, its offices and bureaus, click [here](#). If you are a consumer who needs help resolving a utility dispute call 800-524-0795 or file an online complaint [here](#). For a complaint related to transportation, call 217-782-6448.

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