



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

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July 16, 2020

VIA EMail

Dear Competitive Suppliers and Licensed Competitive Supply Brokers:

On March 10, 2020, Governor Baker declared a state of emergency in response to the Coronavirus (“COVID-19”).¹ On March 23, 2020, the Governor issued a further order to minimize all unnecessary activities outside of the home during the state of emergency.² Following that order, the Department of Public Utilities (“Department”) issued a letter on March 24, 2020, requesting that all Competitive Suppliers and Licensed Competitive Supply Brokers cease door-to-door marketing activities until the Department rescinded this request or the state of emergency in the Commonwealth of Massachusetts was lifted, whichever came first.

On May 18, 2020, the Commonwealth released a plan to reopen in four phases.³ As part of this phased process, detailed guidance has been issued regarding the procedures that individuals and businesses are required and/or expected follow as the Commonwealth moves

¹ Executive Order No. 591: <https://www.mass.gov/executive-orders/no-591-declaration-of-a-state-of-emergency-to-respond-to-covid-19>

² COVID-19 Order No. 13: <https://www.mass.gov/doc/march-23-2020-essential-services-and-revised-gatherings-order/download>

³ See <https://www.mass.gov/info-details/reopening-massachusetts>

through the various stages of reopening. As of July 6, 2020, the Commonwealth has moved to Phase III, Step 1 of the reopening process.⁴

While there is no specific statewide guidance regarding the resumption of door-to-door marketing activities, it is the Department's understanding that under Phase III, all businesses (including door-to-door business practices) with the exception of large venues, nightclubs, and some other specific activities are permitted to resume operations. All such activity, however, must meet certain mandatory safety standards and adhere to best practices as outlined by the Commonwealth's reopening guidance materials. The Department expects suppliers and brokers (including their marketing agents) engaging in door-to-door marketing activities to comply with all standards and protocols issued by the Commonwealth and other authorities having jurisdiction.

Before resuming door-to-door marketing activities, the Department directs suppliers and brokers to submit, for informational purposes, their plans explaining how each intends to adhere to the Commonwealth's, and other authorities having jurisdiction, specific guidance in these matters. All plans should be submitted to dpu.electricsupply@mass.gov or dpu.gassupply@mass.gov, whichever is applicable. If both are applicable, the plans should be sent to both email addresses.

The Department additionally requests that suppliers and brokers wait at least three business days after submitting their plans before resuming door-to-door marketing activities and further notes its strong preference that no such activities recommence before August 3, 2020 when the new door-to-door notification requirements prescribed by D.P.U. 19-07-A are scheduled to take effect.⁵

⁴ See <https://www.mass.gov/news/reopening-massachusetts-baker-polito-administration-initiates-transition-to-third-phase>

⁵ D.P.U. 19-07-A at 30

Should you have any questions, please do not hesitate to contact our Consumer Division Assistant Director, Joseph M. Truschelli, at (617) 939 6113.

Sincerely,

/s/

Matthew H. Nelson, Chair

cc: Cecile Fraser, Commissioner
Robert Hayden, Commissioner
Joseph Truschelli, Acting Director, Consumer Division
Michael Judge, Director, Electric Power Division
George Yiankos, Director, Gas Division
Shane Early, General Counsel