

# Marketing Requirements and Branding Policies for Third Parties

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## I. Introduction

Pacific Gas and Electric Company (PG&E) trademarks, logo and brand, collectively, (PG&E's IP), are valuable and strategic company intellectual property assets. PG&E must expressly grant permission to use its PG&E IP. Third Party Implementers (3P's) and their delegated representatives who receive authorization to use PG&E's IP, must adhere to these Marketing and Branding Requirements. These requirements may change as policies, communications, technology, and industry marketing practices evolve. PG&E will notify the 3P of any such changes and require the 3P to inform its authorized delegates to make these changes within 45 days of receipt of notification. 3P's are responsible to monitor their authorized delegates implementation and compliance of these requirements.

For inquires and required reviews and approvals in accordance with these Marketing and Branding Requirements, please contact [ThirdPartyMarketing@pge.com](mailto:ThirdPartyMarketing@pge.com) (PG&E Marketing Review)

## II. Branding Policies

PG&E as part of its Marketing Requirements offers three branding approaches 3P's can use to promote their energy savings program. These branding approaches are contained in the Attachment 1, Branding Policies, and are incorporated by reference.

- Third-party only branding
- PG&E/ Third Party cobranding
- PG&E only branding (***This approach only allows PG&E to develop the required branding and marketing materials***)

3P's need to request the branding approach they desire to use in their Marketing Plan. After the 3P Marketing Plan is reviewed and approved by PG&E's Marketing Review, any changes the 3P makes to their branding approach or Marketing Plan, must be resubmitted for approval.

## III. Marketing Requirements

### A. Documentation Containing PG&E's IP Require PG&E Marketing Review

Unless otherwise stated in these requirements, any marketing materials containing PG&E's IP, must be reviewed and approved by PG&E's Marketing Review prior to their distribution or publication. The definition of "marketing materials" goes beyond the general concept of advertising materials and includes, but is not limited to:

- General awareness materials: Websites, traditional media (TV, radio), billboards, digital and social media
- Energy Savings Program promotional materials: Brochures, leaflets, emails, direct mail (includes materials circulated by local governments, contractors, or other entities)
- Sales materials: call scripts, all presentations

### B. Use of Marketing Materials and Communications

PG&E at its sole discretion may request at any time that all marketing communications and/or materials be held or stopped in an emergency. These holds could be specific to locations or involve PG&E's entire service area. PG&E will require written confirmation that holds have been put in place.

### **C. Documentation Containing PG&E's IP Not Requiring PG&E Marketing Review**

- Recruiting materials to train 3P subcontractors/designated representatives
- Materials used to recruit or train Local Governments
- Forms used to secure agreements between the customers and subcontractors, downstream entities, and/or other delegated entities
- Use of PG&E's name for factual statements only

Examples of PG&E IP Not Requiring PG&E Marketing Review include statements factual in nature that do not indicate PG&E endorsement or referring to a partnership with PG&E.

### **D. Marketing and Advertising Standards and Regulations**

3P's Marketing Plan and implementation must comply with the [Better Business Bureau \(BBB\)](#) and the [Federal Trade Commission \(FTC\) \(Advertising Standards\)](#). These Advertising Standards apply to the offering of goods or services across all forms of media. These Advertising Standards protect customers against false or deceptive marketing tactics and allow customer's the choice to remove themselves from receiving marketing materials and information. Other rules governing marketing and advertising 3P's must follow and contain severe penalties for violations, are the Tactical Marketing Regulations (Marketing Regulations) which are as follows:

- [FTC Advertising and Marketing on the Internet: Rules of the Road](#)
- [CAN-SPAM](#)
- [ADA Website Accessibility](#)
- [Telephone Consumer Protection Act](#)
- [Deceptive Mail Prevention and Enforcement Act](#)
- [California Consumer Privacy Act](#)

Any non-compliance with the above Advertising Standards and Marketing Regulations, must be immediately reported to PG&E's Marketing Review.

### **E. Marketing Plan**

3P's must submit their energy savings program Marketing Plan as part of their Request for Proposal. Any updates or changes to this Marketing Plan must be resubmitted to PG&E's Marketing Review for approval. The Marketing Plan shall include, but is not limited to:

- An Introduction including a high-level description of:
  - What (Program)
  - Who (Target Audience)
  - Why (What problem does the program solve)
- Program Goals, Objectives and Strategies
- Marketing Goals, Objectives and Strategies
- Target Audience (including geographies served, demographic targets)
- Background or learnings being leveraged
- Tactics
- Timeline
- Metrics and Key Performance Indicators (KPIs)

## **F. PG&E Trademark, Tradename, Copyright and Logo**

If granted permission to use PG&E's IP, PG&E's Trademark, Tradename, Copyright and Logo (PG&E Marks) must be used in a stylized manner as permitted in the Parties Contract, License and detailed in PG&E's Branding Policies.

## **G. Creative Elements in Marketing Materials**

Tone and imagery provide an impression and personality of the information being communicated. PG&E has provided creative elements examples described in the Branding Policies.

## **H. Photograph, Testimonials, Quotes, Videos, Other Media**

Photographs, testimonials, quotes, videos or any other media (Items) can only be used in any marketing materials, provided the owner of these types of Items executes a written release and consent form (Form). PG&E's Marketing Review can provide and must approve the Form.

## **I. Anti-Discrimination**

3P's agree not to discriminate based on a customer's race, ethnicity, national origin, religion, gender, sex, age, LGBT orientation, mental or physical disability or geographic location. Basic services and information must be made available to individuals with disabilities, upon request.

## **J. Requirements Pertaining to Non-English-Speaking Populations**

PG&E may require 3P call centers have interpreter services available to call center personnel to answer questions from non-English speaking or limited English-speaking customers. Call centers are those centers that receive calls from current and prospective customers.

## **K. Claim Statements**

Any claim statements, such as an energy efficiency statement of savings (i.e. -- you will save 10% on your energy costs) must be supported and substantiated by a credible and reliable independent source. All claims must be reviewed and approved by PG&E.

## **L. Marketing Outreach**

### **1. Email**

Email marketing is regulated by the Federal Communications Commission (FCC) and must adhere to the laws under the [Telephone Consumer Protection Act \(TCPA\)](#) and [Controlling the Assault of Non-Solicited Pornography and Marketing \("CAN-SPAM"\) Act](#). Third parties must have a privacy policy linked within their emails that contains no less than PG&E's minimum requirements, see [www.pge.com/privacy](http://www.pge.com/privacy). In addition, the California Public Utilities Commission (CPUC) requires emails provide the following:

- Identification of the sender in the "From" section.
- A link to the 3P's privacy policy
- 3P's name and physical address
- An easily accessible unsubscribe link or an unsubscribe method

### **2. Direct Mail**

Direct mail includes all physical items sent to a customer's home or business including but not limited to postcards, letters, self-mailers and flyers. The following shall be implemented:

- Use 3P name and return address on the envelope, (see Branding exception)
- PG&E recommends 8 ½ x 11 letters, paper stock at a 80# text with a matte finish
- If using recycled paper, the recycled symbol can be added in 6.75-point type
- A Johnson Box at the top right-hand side of any direct mail letters. A Johnson box contains the key message of the letter. The purpose of it is to present the key concept to customers who may be visual impaired.
  - Johnson Box font shall be bold and 3-point type larger
  - Shall contain 160 characters max.
- Comply with the USPS National Change of Address checking process to obtain, if available, new addresses filed within the past 18 months.

### **3. Events**

Participation in marketing/ sales events is permitted to increase customer awareness of the 3P's energy savings program. Event activities may include the distribution of marketing materials and/or verbal education about the 3P program, provided the scripts and presentations are approved by PG&E's Marketing Review prior to the event. Examples materials are:

- A banner with the 3P's program name and, if applicable, in accordance with the 3P's Contract's identified branding approach.
- Promotional items/ giveaways of value consistent with state and federal tax laws.

At events, the following is prohibited without PG&E's written consent:

- Marketing and/or selling program products not identified in the Parties Contract
- Discuss issues on other PG&E activity/ press/ billing, etc. must be directed to the PG&E Customer Service Center at 1-877-660-6789.

### **4. Presentation Materials.**

Presentation materials containing PG&E IP must be approval by PG&E Marketing Review.

### **5. Telemarketing/ Telephone Activity**

Outbound telemarketing is permitted as follows:

- Telephone scripts must be submitted to PG&E for review
- All marketing requirements and regulations must be met including the [Telephone Protection Consumer Act](#)
- Clearly state the program name and provide a toll-free number and/or website for customer to verify program information.
- Remove customers from call list if requested by customer
- Return phone calls/messages from customers who contact the 3P directly

### **6. Media**

Media, including but not limited to, broadcast, digital TV, radio, Search Engine Marketing (SEM) and online advertising used to market the 3P's energy savings program, must use the PG&E Agency of Record (AOR) to plan and buy such media to avoid unnecessary bidding of media space. The AOR searches for efficiencies and cost scaling across all PG&E media buys to offer lower rates and better performance. 3P's must submit all media creative for PG&E's Marketing Review prior to their public disclosure and distribution. Due to the media cost and creative timeline, PG&E suggest 3P's share their creative concepts prior to selecting their concept.

## 7. Organic Social Media

Organic social media involves using free tools provided by social networks to build a social community and interact with it; this includes but is not limited to, posts on the 3P's Facebook/ LinkedIn pages, tweets on Twitter and videos on YouTube. 3P's using organic social media in their marketing must not put any restrictions on customers and members of the public to view the content, such as paying for a subscription to a site.

## 8. Websites and Other Digital Properties

Domain Ownership. PG&E domain ownership can be purchased or assigned for any website or digital property. In some cases, PG&E will allow the 3P to obtain the domain ownership.

ADA Compliance. Any new website or digital content must adhere to PG&E's accessibility standard of [WCAG 2.0 AA](#). To demonstrate compliance, content must be tested and achieve an accessibility score greater than or equal to 85%, with no severe A or AA violations. The 3P must contact PG&E's Marketing Review to schedule accessibility testing. PG&E uses a contracted 3<sup>rd</sup> party to perform the accessibility testing. Typically, this test uses a 3-part process:

- Technical Conformance (automated)
- Technical Conformance (manual)
- Functional Usability specific to accessibility

Responsive Design. Many PG&E customers access websites on mobile devices and therefore digital content must be responsive to adjust content automatically for optimal display no matter what the screen size.

Third Party Security Review. Digital properties prior to being used must be reviewed by PG&E's Third Party Security Review (TSR) department. This TSR review is in addition to any prior review conducted. TSR will identify issues that may need to be addressed.

Privacy – PG&E's Privacy Team requires a Privacy Impact Assessment (PIA) be completed if a site will collect, use, store and/or disclose customer or employee data. The PIA will address potential gaps and suggest controls to ensure data protection. The PIA is to be completed by the Program Manager or Program Administrator.

Customer Experience (CE) Forum – The CE Forum is a cross-functional group of PG&E organizational stakeholders that reviews any new website or digital content desired to be used or be made publicly available by the 3P. Prior to using such items, 3P's must submit them to PG&E's Marketing Review who presents them at the CE Forum to determine if any issues need to be addressed. When all outstanding issues are addressed, if any, new website or digital content must receive PG&E's Marketing Review approval.

## 9. Public Relations

PG&E does not endorse products or services, nor the firms or individuals who supply them. Instead, the focus needs to be on the services being provided and the overall benefit to PG&E customers. To use PG&E's name in external media or public relations, the materials must be approved by PG&E's Marketing Review. Key guidelines for drafting public relation materials are:

- Alternative term than "partner" or "partnership" needs to be used
- Unless agreed to, PG&E must not be mentioned in the headline, sub-headline or lead paragraph of the media materials
- PG&E will not contribute or be mentioned in quotes

- Only factual statements are permitted about the Parties relationship
- Statement may not endorse the products, services, etc.

#### **10. Door-to-Door/ Direct-to-Door**

Door-to-door canvassing, either verbally selling or leaving sales materials (such as door hangers) at customers' homes are required to:

- Be respectful of customer's property
- Pay attention to signs requesting no solicitation
- Consider working in pairs, or groups
- Business card or company badge identification must be available always

#### **11. Sponsorships**

Sponsorships are a form of advertising in which companies pay to be associated with certain events. This type of advertising ties PG&E to any other organization involved, PG&E must review and approve all sponsorship requests prior to entering into a sponsorship contract.

#### **12. Social Media Influencers**

Marketing using social media influencers to focus on identifying and utilizing influential people to reach and impact a target market must adhere to the [FTC Endorsement Guides regarding testimonials, blogging, and word-of mouth advertising](#). Social influencer content is typically framed as testimonials about product or service experiences being sold and promoting via social channels, personal blogs, Facebook and Instagram pages. Any use of social media influences must be reviewed and approved by PG&E's Marketing Review.

#### **13. Sweepstakes/ Contests/Promotions/Prizes**

All sweepstakes, contests, promotions, prizes, and giveaway materials (Promotional Materials) must adhere to the [CA Department of Consumer Affairs](#) and the Federal Deceptive Mail Prevention and Enforcement Act and approved by PG&E's Marketing Review and Legal Department. All Promotional Materials must comply with valuation rules, applicable regulations, state and federal tax laws. 3P's need to consult their tax advisor to ensure tax law compliance.

#### **14. SMS/Text**

Marketing using text messaging is regulated the same as email marketing, via the [Telephone Consumer Protection Act \(TCPA\)](#) and [Controlling the Assault of Non-Solicited Pornography and Marketing \("CAN-SPAM"\) Act.](#) Text messaging requirements include, but not limited to:

- Clearly communicate what type of text messages customers can expect.
- Get permission
- Pay attention to frequency
- Include disclaimers
- Provide an exit for customers who no longer want to receive such messaging

### **IV. Submitting Materials for PG&E Marketing and Claims Review**

#### **A. Material Identification Number**

PG&E requires a material identification number be placed on all materials subject to PG&E Marketing Review. This number must be placed in fine print at the bottom of each piece near the PG&E copyright statement that is submitted. The material ID requires:(1) the 3P's Contract Work



Authorization number beginning with a C followed by 4 or 5 numbers and (2) the month and the year the piece will be published. (i.e. material ID-C1520-0218).

## **B. Material Review Process**

PG&E's Marketing Review team requires at least **seven (7) business days** to review materials in accordance with these requirements. Approval, recommendations and/or other feedback will be provided within **7 (seven) business days**. **The review process may be iterative and require multiple revisions be re-submitted prior to approval. If additional review time is required, PG&E will discuss the adjusted timeframe at the initial review.** Requests for PG&E's Marketing Review shall be done as follows:

- Email [ThirdPartyMarketing@pge.com](mailto:ThirdPartyMarketing@pge.com) ahead of when final feedback is needed
- Include all materials in Word, PDF, JPEG format
- Include any background needed to conduct a review including, but not limited to,
- The final format material will take (printed, electronic only, video, etc.)
- How it will be used (at events, on website, etc.)
- Any specific in-market times (for use at conference Feb 2-10, etc.)

## **C. Claims Review Process**

PG&E claims review requires seven (7) business days and can be iterative requiring multiple revisions be reviewed entailing additional review time before claim statements are approved. Claims are required to be adequately proven to ensure their accuracy. Requests for PG&E's Marketing Review shall be done as follows:

Email [ThirdPartyMarketing@pge.com](mailto:ThirdPartyMarketing@pge.com) the statement and the substantiation, calculation, methodology or a link to a reliable independent source (examples -- DOE, State of California, and EnergyStar) ahead of when final feedback is needed.

- Include background information needed for the review including, but not limited to,
- The final format material will take (printed, electronic only, video, etc.)
  - How it will be used (at events, on website, etc.)
  - Any specific in-market times (for use at conference Feb 2-10, etc.)