

# Holy Cross Energy Corporate Policies

Member Privacy and Confidentiality

Policy Number: 2.3

Original Effective Date: November 18, 2015

Revised Dates: October 1, 2019

## 1. OBJECTIVE

1.1 To establish fair information principles for Holy Cross Electric Association, Inc., a/k/a Holy Cross Energy ("Holy Cross") in carrying out its responsibility to respect the privacy and confidentiality of member information.

## 2. POLICY

2.1 The Board of Directors ("Board") recognizes its responsibility and obligation to respect and protect the private information of the members of Holy Cross and by this Policy directs the President and Chief Executive Officer ("CEO") to undertake procedures and precautions to safeguard that information.

### 2.1.1 Notice

2.1.1.1 Holy Cross discloses to its members its Policies and practices for the collection, maintenance, use and disclosure of Personally Identifiable Information ("information" or "records") about its members.

2.1.1.2 Holy Cross collects and maintains appropriate information about its members as a routine part of its operations.

2.1.1.3 When providing electricity and related services, Holy Cross collects information from members, including name, address, telephone number, credit information, and payment and usage history. Usage history may include information on a consumer's property, health information for lifeline service, service history and information maintained for meter reading purposes (*e.g., warning about a dog in the yard*).

2.1.1.4 Membership and governance activities may result in the maintenance of capital and patronage account information for members and former members, and contact information for former members. Holy Cross shall use proper disposal methods for members and former members information in compliance with the Fair and Accurate Credit Transaction Act of 2003.

2.1.1.5 Occasionally, Holy Cross may survey a sample of its members to collect information to identify needs or improve service.

2.1.1.6 Other activities by Holy Cross or its affiliates, including energy efficiency, security and home improvement services, may result in the collection of additional information about a member's property, appliances, and activities. This information will be collected and maintained only when and to the extent appropriate to provide the services.

2.1.1.7 This notice describes generally Holy Cross's privacy and confidentiality Policies. The Policy is not a formal limitation on the ability of Holy Cross to use, manage and disclose its records as Holy Cross determines to be necessary, appropriate or as required by law. It is subject to change without notice.

### 2.2 Trust

2.2.1 General Practices. Holy Cross maintains members' information only for purposes that are suitable to its operations and management. Information is collected only through lawful and fair means and for appropriate purposes. Holy Cross is committed to maintaining accurate, complete,

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timely, relevant and appropriate information about members as necessary for the purpose for which the information is to be used.

2.2.2 Access and Correction. Holy Cross generally permits its members to access and seek correction of records about themselves that are used by Holy Cross to provide service, for billing and to manage capital accounts. Any person who wants to identify personal records maintained by Holy Cross, access the records, or correct the records should contact the President and CEO or designee.

## 2.3 Security

2.3.1 Holy Cross maintains member information with technical, administrative, and physical safeguards to protect against loss, unauthorized access, destruction, misuse, modification and improper disclosure. No record or computer system can ever be fully protected against every possible hazard. Holy Cross provides reasonable and appropriate security to protect against foreseeable hazards.

2.3.2 Holy Cross requires, when practicable, its affiliates and contractors who have access to identifiable member information to sign a statement acknowledging that they have read this privacy and confidentiality Policy and agree to comply with it. Any employee or contractor who fails to comply with these rules may be subject to disciplinary action up to and including dismissal.

## 2.4 Use and Disclosure

2.4.1 Holy Cross uses and discloses identifiable information about members in defined and responsible ways in order to carry out its operations. This section describes how identifiable information records about members may be used and disclosed.

2.4.2 Records may be disclosed to affiliates or contractors hired by Holy Cross to assist in carrying out operations such as service, billing and management functions including legal, audit and collection services.

2.4.3 Member information may be disclosed to and shared with commercial and consumer credit reporting agencies for credit-related activities (*e.g., the reporting of bad debts*).

2.4.4 Records may be disclosed to government regulators and other government agencies when authorized or required by law.

2.4.5 Records may also be compiled in aggregate form for Holy Cross management activities.

2.4.6 Records may be disclosed when required by law, such as in response to a search warrant, subpoena or court order. Holy Cross may use and disclose records for investigations into employee misconduct or for law enforcement investigations related to our business. Disclosures may also be made when appropriate to protect Holy Cross's legal rights or during emergencies if physical safety is believed to be at risk. These events are unlikely, but they are possible. Holy Cross will take reasonable steps to limit the scope and consequences of any of these disclosures.

2.4.7 Records may be shared with other utilities under shared service agreements or to meet operational requirements.

2.4.8 For home security customers, information may be shared with law enforcement authorities as authorized in service agreements.

2.4.9 Records about a member may be disclosed at the request of or with the permission of the member.

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2.4.10 Consumer information may be shared with affiliates and partners of Holy Cross that offer products and services to members.

2.4.11 Membership lists of Holy Cross may only be disclosed pursuant to Corporate Policy 2.1, "Access to Holy Cross Energy's Membership List".

2.4.12 Holy Cross does not sell, rent, loan, exchange or otherwise release mailing lists, telephone lists or email lists of consumers for marketing purposes. Holy Cross does not disclose any information about a member to nonaffiliated third parties without prior written consent of the member.

2.4.13 Members may request that their information not be shared with affiliates for the offering of new products and services. Such requests may be made in writing (physical or electronic) to the President and CEO or designee of Holy Cross, who will, upon validation of the request, ensure that member's data is no longer provided to affiliates.

2.5 Questions and Disputes. This Policy is maintained and supervised by the President and CEO or designee of Holy Cross. Questions about the Policy may be directed to that office. Any disputes over access, correction, or other matters may also be directed to that office. Holy Cross will do its best to resolve any questions or problems that arise regarding the use of consumer information.

## 3. RESPONSIBILITY

3.1 The Board shall be responsible for the administration of and compliance with this Policy.

3.2 The President and CEO shall ensure this Policy is adhered to by Holy Cross employees.