

(excerpted from the HomeWorks Ratebook)

C. Customer Data Protections

1. Data Privacy – Definitions

- a. “Aggregated Data” means any Customer Account Information from which all identifying information has been removed, so that the individual data or information of a customer cannot be associated with that customer without extraordinary effort.
- b. “Contractor” or “Cooperative Agent” means an entity or person performing a function or service under contract with or on behalf of the Cooperative, including, but not limited to, customer service, customer education, demand response, energy management, energy efficiency programs, payment assistance, payroll services, bill collection, tree clearing, line construction, or other functions related to providing electric service.
- c. “Customer” means a purchaser of electricity that is supplied or distributed by a utility for residential or nonresidential purposes.
- d. “Customer Account Information” means individually identifiable information including Personal Data and Customer Usage Data. Customer Account Information also includes information received by the Cooperative from the customer for purposes of participating in utility programs including, but not limited to, bill payment assistance, shutoff protection, renewable energy, demand-side management, load management, or energy efficiency.
- e. “Customer Usage Data” or “Consumption Data” means customer-specific electric usage data, including but not limited to kW, kWh, voltage, var, or power factor, and other information that is recorded by the electric meter for the Cooperative and stored in its systems.
- f. “Informed Customer Consent” means, in the case where consent is required: the customer is advised of (1) the data or information to be collected and allowable uses of that data or information by the party seeking consent; (2) the frequency of data or information release and the duration of time for which the consent is valid; and (3) the process by which the customer may revoke consent. In no case shall silence by the customer ever be construed to mean Informed Customer Consent. Customer consent must be documented and may be in writing, electronically, or through oral communication in which the customer’s identification is verified and documented.
- g. “Personal Data” or “Personally Identifiable Information” means specific pieces of information collected or known by the Cooperative that can be used to identify or trace to a specific individual and that merit special protection including, but not limited to, the standard types of positive identification information used to establish an account. Personal Data includes, but is not limited to, name, address, birth date, telephone number, electronic mail address, Social Security Number, financial account numbers, driver’s license number, credit reporting information, bankruptcy or probate information, health information, network, or Internet protocol address.
- h. “Primary Purpose” means the collection, use, or disclosure of information collected by the Cooperative or supplied by the customer where there is an authorized business need or emergency response in order to: (1) provide, bill, or collect for, electric service; (2) provide for system, grid, or operational needs; (3) provide services as

required by state or federal law or as specifically authorized in the Cooperative's approved tariff; or (4) engage in customer satisfaction surveys, plan, implement, or evaluate, energy assistance, demand response, energy management, renewable energy or energy efficiency programs by the Cooperative or under contract with the Cooperative, under contract with the Commission, or as part of a Commission-authorized program conducted by an entity under the supervision of the Commission, or pursuant to state or federal statutes governing energy assistance.

- i. "Secondary Purpose" means any purpose that is not a Primary Purpose.
- j. "Standard Usage Information" means the usage data that is made available by the Cooperative to all similarly situated customers on a regular basis, delivered by the Cooperative in a standard format.
- k. "Third-party" means a person or entity that has no contractual relationship with the Cooperative to perform services or act on behalf of the Cooperative.

2. Collection and Use of Data and Information

- a. The Cooperative, its Contractor, or Cooperative Agent, does not need Informed Customer Consent to collect or use Customer Account Information as necessary to accomplish Primary Purposes only.
- b. Informed Customer Consent is necessary before collection or use of Customer Account Information for a Secondary Purpose.
- c. The Cooperative will not release Customer Account Information, unless it receives Informed Customer Consent.

3. Disclosure Without Customer Consent

- a. The Cooperative shall disclose Customer Account Information when required by law. This includes law enforcement requests supported by warrants or court orders specifically naming the customers whose information is sought, and judicially enforceable subpoenas. The provision of such information will be reasonably limited to the amount authorized by law or reasonably necessary to fulfill a request compelled by law.
- b. Informed Customer Consent is not required for the disclosure of Aggregated Data.

4. Disclosure to Cooperative Agents and Contractors

- a. The Cooperative shall disclose only the necessary Customer Account Information to Cooperative Agents and Contractors working on behalf of the Cooperative for Primary Purposes and any other function relating to providing electric services without obtaining Informed Customer Consent.
- b. Contracts between the Cooperative and its Cooperative Agents or Contractors specify that all Cooperative Agents and Contractors are held to the same confidentiality and privacy standards as the Cooperative, its employees, and its operations. These contracts also prohibit Cooperative Agents or Contractors from using any information supplied by the Cooperative for any purpose not defined in the applicable contract.
- c. The Cooperative requires its Cooperative Agents and Contractors who maintain Customer Account Information to implement and maintain reasonable data security procedures and practices appropriate to the private nature of the information received.

These data security procedures and practices shall be designed to protect the Customer Account Information from unauthorized access, destruction, use, modification, or disclosure. The data security procedures and practices adopted by the Contractor or Cooperative Agent shall meet or exceed the data privacy and security policies and procedures used by the Cooperative to protect Customer Account Information.

- d. The Cooperative requires Cooperative Agents and Contractors to return or destroy any Customer Account Information that it maintained and that is no longer necessary for the purpose for which it was transferred.
- e. The Cooperative maintains records of the disclosure of customer data to Cooperative Agents and Contractors in accordance with Cooperative record retention policies and Commission rules. These records include all contracts with the Cooperative Agent or Contractor and all executed non-disclosure agreements.

5. Customer Access to Data

- a. The Customer has a right to know what Customer Account Information the Cooperative maintains about the Customer. The Cooperative shall not provide data to a customer which the Cooperative considers proprietary or used for internal Cooperative business. A customer may request usage data and other Customer Account Information by contacting the Cooperative. The Cooperative will make a reasonable effort to respond to requests for this information within 30 business days of being requested by the Customer.
- b. Customers have the right to share their own Customer Account Information with third parties of their choice to obtain services or products provided by those third parties. These services or products may include, but are not limited to, in-home displays, energy audits, or demand response programs.
- c. Customers have the opportunity to request corrections or amendments to Customer Account Information that the Cooperative maintains.
- d. Fulfilling certain requests for data in accordance with the provisions of this tariff is consistent with the provision of normal utility service to Customers. When the data requested is Standard Usage Information, the request will be fulfilled without charge. Some requests for information extend beyond Standard Usage Information. Fulfilling these requests requires special data processing that is not a part of normal utility service and results in expenses that would not otherwise be incurred. Such requests are fulfilled at the discretion of the Cooperative within the parameters of this Customer Data Privacy tariff. The costs of fulfilling any special requests shall be borne solely by the Customer, or third party if deemed appropriate, and be based on the specifics of the data request and the associated costs of developing, processing, and transmitting the requested data.
- e. A Customer may request that his or her Customer Account Information be released to a third party of the Customer's choice by completing a written Informed Customer Consent request. Once the Cooperative receives the Informed Customer Consent from the Customer, the Cooperative is not responsible for loss, theft, alteration, or misuse of the data by third parties or customers after the information has been transferred to the customer or the Customer's designated third party.

6. Customer Notice of Privacy Policies

- a. New Customers receive notice of the privacy policy, with instructions of where to download or how to receive a copy of the full policy, upon the initiation of utility service from the Cooperative. Existing Customers receive notice of the privacy policy once per year by whatever method is used to transmit the bill and whenever the privacy policy is amended. Notice will also be published annually in a magazine or newsletter sent to all customers.
- b. Notice of the Cooperative's privacy policies will be made available and posted on the Cooperative's website. Notice includes a customer service phone number and Internet address where Customers can direct additional questions or obtain additional information.

7. Limitation of Liability

The Cooperative and each of its directors, officers, affiliates, and employees that disclose Customer Information, Customer Usage Data, Personal Data or Aggregated Data to Customers, Cooperative Agents, or Contractors, as provided in this tariff, shall not be liable or responsible for any claims for loss or damages resulting from such disclosure.

CUSTOMER DATA PROTECTION POLICY

I. OBJECTIVE

HomeWorks Tri-County Electric Cooperative (hereafter referred to as 'Cooperative') collects certain information about its electric customers (also referred to as its members) as a routine part of its operations. This policy describes the information that the Cooperative collects and how it uses, protects and shares that information, as stated in the Cooperative's tariffs.

II. POLICY

A. CATEGORIES OF DATA COLLECTED

1. **Personally identifiable information** or **personal data** means information collected or known by the Cooperative that can be used to identify a specific individual. Personal data may include, but is not limited to, name, address, birth date, telephone number, e-mail address, Social Security Number, financial account numbers, credit reporting information, bankruptcy or probate information, or health information.

2. **Customer usage data**, or **consumption data** means customer-specific electric usage data, including kilowatts, kilowatt-hours, voltage, var, or power factor, and other information recorded by the electric meter (such as blink and outage counts) and stored in the Cooperative's system.

3. **Customer account information** means individually identifiable information including personal data, as well as consumption data.

4. **Aggregated data** means any customer account information from which all identifying information has been removed, so that individual information from a customer cannot be associated with the customer without extraordinary effort. This includes, but is not limited to, member attitude surveys, power needs surveys, or information gathered for engineering work plans.

B. PURPOSES FOR COLLECTION & USE OF CUSTOMER DATA

1. **Primary purpose** means the collection, use, or disclosure of information collected by the Cooperative or supplied by the customer where there is an authorized business need or emergency response in order to: (1) provide, bill, or collect, for electric service; (2) provide for system, grid, or operational needs; (3) provide services as required by state or federal law or as specifically authorized in the Cooperative's tariffs or; (4) plan, implement, or evaluate, energy assistance, demand response, energy management, renewable energy or energy efficiency programs by the Cooperative or under contract with the Cooperative or with the Michigan Public Service Commission, or required by state or federal laws governing energy assistance.

2. **Secondary purpose** means any purpose that is not a primary purpose.

C. CUSTOMER CONSENT

1. **Informed Customer Consent** means the customer is advised of (1) the data or information to be collected and allowable uses of that data or information by the party seeking consent; (2) how long the consent is valid; and (3) the process the customer may use to revoke consent. Customer consent must be documented and may be submitted in writing, electronically, or through oral communication in which the customer's identification is verified and documented.

2. Informed customer consent is not necessary for primary purposes. It is necessary before collection or use of customer account information for a secondary purpose.

3. The Cooperative will not release customer account information, except in very limited circumstances described in the tariff, unless it receives informed customer consent.
4. The Cooperative will disclose customer account information when required by law, including law enforcement requests supported by warrants, court orders, or subpoenas. The customer account information disclosed will be reasonably limited to the amount authorized by law.
5. Informed customer consent is not required for the disclosure of aggregated data.

D. DISCLOSURE & USE OF CUSTOMER DATA

1. The Cooperative will disclose only the necessary customer account information to its agents and contractors for primary purposes and any other function related to providing electric services, without obtaining informed customer consent.
 - a. Contracts between the Cooperative and its agents or contractors specify that all agents and contractors are held to the same confidentiality and privacy standards as the Cooperative. These contracts also prohibit agents and contractors from using any information supplied by the Cooperative for any purpose not defined in the contracts.
 - b. The Cooperative requires its agents or contractors who maintain customer account information to maintain reasonable data security procedures and practices appropriate to the private nature of the information received. These procedures and practices shall be designed to protect the customer account information from unauthorized access, destruction, use, modification, or disclosure. The data security procedures and practices adopted by the agents or contractors shall meet or exceed the data privacy and security policies and procedures used by the Cooperative to protect customer account information.
 - c. The Cooperative requires its agents or contractors to return or destroy any customer account information that is no longer necessary for the purpose for which it was transferred.
 - d. The Cooperative maintains records of the disclosure of customer data to its agents or contractors, in accordance with Cooperative record retention policies and Commission rules. These records include all contracts with the agent or contractor, and all executed non-disclosure agreements.

E. CUSTOMER ACCESS TO DATA & NOTICE OF PRIVACY POLICIES

1. Customers have a right to know what customer account information the Cooperative maintains about the Customer. A customer may request usage data and other customer account information by writing the Cooperative or by submitting a request through the Cooperative website. The Cooperative will make a reasonable effort to respond to requests for information within 30 business days of the request.
2. Customers have the opportunity to request corrections or amendments to customer account information that the Cooperative maintains. Customers may also request copies of their data; for anything other than standard usage information, the customer may be asked to bear the costs of fulfilling special requests.
3. Customers may request that their customer account information be released to a third party by submitting an Informed Customer Consent request. Once released, the Cooperative is not responsible for loss, theft, alteration, or misuse of the data by the customer or third parties.
4. New customers will receive notice of the privacy policy with instructions of where to download or how to receive a copy of the full policy, when they initiate utility service with the Cooperative. Existing customers will receive this notice annually, and whenever the policy is amended, by the method used to transmit the bill. Annual notice will be published in a magazine or newsletter sent to all customers.

5. Notice of the Cooperative's privacy policies will be posted to the Cooperative's website. This notice will include contact information which customers may use to obtain additional information.

F. QUESTIONS AND DISPUTES

1. This policy is maintained and supervised by HomeWorks Tri-County Electric Cooperative, 7973 E. Grand River Avenue, Portland, Michigan 48875; telephone: 1-800-562-8232; fax: 517-647-4856; e-mail address: tricoenergy@HomeWorks.org. Questions about the policy, corrections, disputes over access, or other matters may be directed to that office.

III. RESPONSIBILITIES

A. GENERAL MANAGER

1. The General Manager shall ensure that this policy continues to reflect the Customer Data Protections tariff in the HomeWorks Ratebook (Section C.II.C).

2. The General Manager shall ensure that this policy is adhered to.

Dated: April 23, 2018