

## **1. Purpose**

This Customer Privacy Policy describes the principles Niagara Peninsula Energy Inc. (NPEI) is committed to ensuring that the information it collects is accurate, confidential, secure and private to protect the Personal Information of customers and other individuals in its possession or control.

In general, the use of products and services by a customer is based upon NPEI's statutory authority to collect, use and disclose Personal Information for all purposes related to the delivery of NPEI's services to its customers. NPEI's Privacy Policy addresses the uses of Personal Information, and where relevant, the choices available to individuals and the consent to be obtained for any purposes not related to its mandated functions in the provision of electricity.

By accepting services from NPEI, visiting our Website, or otherwise providing us with your Personal Information, you are acknowledging the practices described in this Privacy Policy. The terms in this Privacy Policy may be changed from time to time, so it should be reviewed for changes periodically.

## **2. Scope**

This Privacy Policy ensures of keeping Personal Information it collects in accordance with our obligations to meet the terms of applicable privacy laws including the Personal Information Protection and Electronic Documents Act (Canada) ("PIPEDA"), the Municipal Freedom of Information and Protection of Privacy Act (Ontario) ("MFIPPA"), the Electricity Act, 1998, and conditions of the Ontario Energy Board issued Electricity Distribution License for NPEI ("Distribution License").

## **3. What NPEI Collects**

Personal information is information about an identified or identifiable individual. Personal information that NPEI may collect includes such information as your name, birth date, contact information including service and mailing address, email address, general banking information for pre-authorized chequing or EFT (electronic funds transfer) for vendors and employee payroll, SIN's, signature, phone numbers; and/or medical information for outage notifications. This information may be needed to support your account and validate your identity, transaction information and other information about you collected electronically, in person or by telephone.

Personal Information does not include the name, title or business address or telephone number of an employee of an organization. Personal information does not include information that has been aggregated such that an individual's information cannot be identified.

In this Privacy Policy, "NPEI", "we", "us", or "our" means NPEI and its directly and indirectly owned affiliates and subsidiaries; and "customer", "you", and "your" means the individual

who is a customer, prospective customer, vendor, employee or other individual member of the public whose Personal Information is in our possession or control. This Privacy Policy does not apply to information about business customers who carry on business as corporations, partnerships or other forms of association. NPEI does, however, protect the confidentiality of such information in accordance with the law, including regulatory codes of conduct issued by the Ontario Energy Board, and contractual arrangements.

If you have questions or concerns regarding your Personal Information or this Privacy Policy, please address them to:

Niagara Peninsula Energy  
7447 Pin Oak Drive  
Niagara Falls, ON L2E 6S9  
Attention: Chief Privacy Officer  
Email: [privacy@npei.ca](mailto:privacy@npei.ca)

#### **4. Accountability**

NPEI is accountable for the protection of Personal Information within the organization's possession or control including all Personal Information held by us or transferred to a third party for processing. We do this by maintaining a privacy program and policies, and putting in place policies and procedures that direct NPEI to manage Personal Information in accordance with the principles set out in this Privacy Policy.

#### **5. Personal Information NPEI Collects**

NPEI will tell you why we collect Personal Information before or at the time of collection. Our employees and representatives collecting Personal Information will explain these purposes or refer you to a designated person within NPEI who can explain the purposes.

Unless required by law, NPEI will not use or disclose, for any new purpose, Personal Information that has been collected without first identifying and documenting the new purpose and obtaining a customer's consent.

All Personal Information that NPEI collects is collected for the following purpose:

- To provide you with safe, reliable electric service;
- To establish, maintain and restore of electric service;
- To identify and authenticate our customers, respond to customer inquiries and otherwise maintain a responsible business relationship with customers;
- To bill and collect payment, and provide notifications;
- For pre-authorized payments;
- To perform credit reviews to determine credit worthiness;
- To notify customers about new and existing programs, events, causes or any other matters sponsored by NPEI;
- To meet legal and regulatory requirements;
- To monitor to support protection of infrastructure (such as CCTV), physical security, network, data;
- To support quality controls and training, such as through call recording.

## **6. Consent**

NPEI will ensure that your consent is obtained prior to the collection, use or disclosure of personal information. Your consent may be expressed or implied, depending upon the following:

- the nature and sensitivity of the information;
- the purpose for which the information is collected; and/or
- whether you have consented already to have third parties disclose personal information.

For example, when you use NPEI's products and services we consider that you have provided implied consent. Subject to certain legal or contractual restrictions and reasonable notice, you may withdraw this consent at any time. However, by doing so, depending on the situation you may be limiting or even preventing our ability to provide you with the service or product you desire and expect. The personal information identified above will not be sold. We do not provide your information to any outside company or unaffiliated agency for marketing, solicitation or any other such purpose.

We will not use or disclose your information without your consent except in the following circumstances:

- when required by law or law enforcement purposes;
- for an emergency that threatens life, health or security;
- to collect a debt that you owe us or to evaluate your credit worthiness;
- to a third party that we have contracted with to work on our behalf in providing services to you or to assist us in understanding your needs and preferences; and/or
- billing and consumption information with third party billing and settlement agencies. Our billing, settlement and regulatory relationships with third parties are governed by licences and codes established by the Ontario Energy Board.

You may withdraw consent at any time, subject to legal or contractual restrictions, and reasonable Policy. For instance, we cannot honour a withdrawal of consent when the Personal Information is required to provide an ongoing service or product. Customers may contact NPEI for more information regarding the implications of withdrawing consent.

## **7. Limit Collection**

NPEI collects Personal Information primarily from their customers. NPEI will not, as a condition of supplying you with a product or service, require you to consent to the collection of Personal Information beyond that required to fulfill the specified, legitimate purpose.

NPEI may also collect Personal Information from other sources including credit bureaus, employers or personal references, or other third parties that represent that they have the right to disclose the information.

## **8. Limit Use, Disclosure and Retention**

NPEI may also use or disclose Personal Information without knowledge or consent in the case of an emergency where the life, health or security of an individual is threatened. NPEI may disclose Personal Information without knowledge or consent to a lawyer representing the companies, to collect a debt, to comply with a subpoena, warrant or other court order, or as may be otherwise required by law.

Only those employees of NPEI who require access for business reasons, or whose duties reasonably so require, are granted access to Personal Information about customers.

Due to the structure of the electricity sector in Ontario, it may be necessary to share your billing and consumption information with third party billing and settlement agencies, such as where you have signed a separate contract with a retailer. Our billing, settlement and regulatory relationships with third parties are governed by our license and regulatory codes that are established by the Ontario Energy Board.

NPEI may engage employees, contractors or other companies and third parties to perform services for NPEI that involve access to Personal Information. These third parties may be located outside of Ontario or Canada.

In accordance with the Distribution License, NPEI will not disclose any consumer information (which may include Personal Information) to any of its affiliates without the consumer's written consent except where consumer information is required to be disclosed:

1. for billing or market operation purposes;
2. for law enforcement purposes; or
3. for the purpose of complying with a legal requirement.

NPEI shall keep Personal Information only as long as it remains necessary or relevant for the identified purposes or as required by law. Depending on the circumstances, where Personal Information has been used to make a decision about a customer, NPEI shall retain, for a period of time that is reasonably sufficient to allow for access by the customer, either the actual information or the rationale for making the decision.

NPEI maintains reasonable controls and practices for information and records retention and destruction which apply to Personal Information that is no longer necessary or relevant for the identified purposes or required by law to be retained. Such information shall be destroyed and erased.

## **9. Accuracy**

Personal information used by NPEI must be sufficiently accurate, complete and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about a customer. NPEI will update Personal Information about customers primarily upon notification by you, and as and when necessary to fulfill the identified purposes for the information collection.

## **10. Safeguard of Personal Information**

NPEI protects Personal Information against such risks as loss or theft, unauthorized access, disclosure, copying, use, modification or destruction, through appropriate security measures. NPEI protects the information regardless of the format in which it is held.

NPEI protects Personal Information disclosed to third parties by communicating the confidentiality of the information, ensuring appropriate contractual controls, by identifying the purposes for which it is to be used, limiting the number of persons whose job function requires access to the information, and requiring physical and procedural security measures to safeguard that information.

All employees of NPEI with access to Personal Information are required as a condition of employment, to respect the confidentiality of Personal Information and sign a confidentiality agreement.

## **11. Ensure Openness**

NPEI is committed to making information about this Policy easy to understand, accessible and updated. NPEI will make changes to its Privacy Policy from time to time and such changes will be posted on the website, and by bill inserts if appropriate.

## **12. Customer Access**

Upon request, you may obtain information regarding the type, use and disclosure of your Personal Information that NPEI has in its possession and control. Additionally, you may authorize a third party to have access to certain data, including Personal Information; such authorization may be revoked by you upon request. NPEI may require satisfactory proof of identity prior to providing you, or any other party that you have authorized, with access to Personal Information. Where applicable, NPEI may charge a nominal fee for responding to such a request to cover the costs of reproduction. NPEI may refuse to provide you with access to your Personal Information where such refusal is permitted (such as where it would violate the privacy of another person), or as required by law or regulatory authorities.

If you feel that your information is inaccurate or incomplete, you may request that it be corrected; and if not corrected, we will note the dispute on your record. You may request deletion, but as an utility, we are obliged to keep certain data to meet our regulatory and contractual obligations, and deletion will only be available for information that is not related to our core purposes, as noted above, and may impact our ability to communicate with you via the internet.

## **13. Website**

ANALYSIS TOOLS AND THE COLLECTION OF PERSONAL INFORMATION:

NPEI's website, online services, interactive applications, email messages, and advertisements may use "cookies" and other analytical technologies.

Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering

information about your preferences. For example, “cookies” may be associated with NPEI’s online forms that you may wish to submit on a regular basis.

These technologies also help NPEI measure performance and engagement. The purpose of collection of Personal Information by these technologies will be consistent with the purposes stated above under the heading “Identifying Purposes”.

Our goal is to make your experience with NPEI more convenient and personal. Customers are free to prevent the installation of cookies by simply disabling this feature in your browser options; as well you are able to delete cookies. This may impact your experience of our website.

We have built our website using industry-standard encryption and authentication tools to protect the security of personal information.

We also use technological measures such as secure routers and firewalls to help protect personal information. Information collected through the website is encrypted before it travels over the Internet using industry-standard technology for conducting secure online transactions.

Unfortunately, because of its nature, we cannot guarantee against the loss or misuse of personal data transmitted over the Internet.

## **14. Challenge Compliance**

Any customer may challenge NPEI’s compliance with this Privacy Policy by contacting NPEI’s Chief Privacy Officer as set out above.

NPEI will investigate all complaints concerning compliance with this Privacy Policy. If a complaint is found to be justified, NPEI shall take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. You will be informed of the outcome of the investigation regarding the complaint.