

## **CPS ENERGY BOARD OF TRUSTEES CUSTOMER INFORMATION PRIVACY POLICY**

This CPS Energy Board of Trustees Customer Information Privacy Policy (“Privacy Policy”) describes and outlines our principles in collecting, using and safeguarding your personal information and information about your relationship with us as your energy services provider. It also describes how you can access and update this information. It is CPS Energy’s policy to comply with all applicable laws and regulations regarding customer privacy. If you have questions or concerns regarding this Policy, please refer to the Customer Support information available at [www.cpsenergy.com](http://www.cpsenergy.com).

### **I. Privacy Commitment**

CPS Energy may collect different information about you in different situations. CPS Energy only collects Confidential Information about you through lawful means and to administer your account and conduct the business of providing you with quality energy products and services. Except as expressly provided for in this Policy, we do not share personal information with other persons or organizations for their marketing purposes, nor will we intentionally disclose your personal information to third parties unless it is done for the reasons described in Article IV of this Policy.

### **II. Definitions**

A. Customer Confidential Information is any information that is collected, received and/or stored by CPS Energy that falls into the following categories:

1. Personal Information: Information that reveals or reasonably could be expected to reveal the identity of any individual or small group of CPS Energy customers. Examples include the customer’s name, service and billing address, e-mail address, phone number, fax number, tax identification number, drivers license number, IP address, social security number, bank name and account number, credit card number and billing details, credit card provider, CPS Energy utility account number, password, and individual contract terms and conditions, or other information that might identify you as our customer.

2. Personal Usage Data: Information regarding the electric and or gas demand and/or usage habits of individual customers or small groups of customers that either, explicitly or implicitly, reveals details, patterns, or other insights into the personal lives, characteristics, or activities of individual customers or members of the group.

B. Non Confidential Information includes:

1. Public Information: Any non-privileged or non-personally identifiable information prepared, owned, used, or retained by the CPS Energy that is required or intended to be disclosed or made available to the public. This information may include general information regarding rates and programs.

2. Unsolicited Information: Information or material sent to us by you or others acting on your behalf on an unsolicited basis.

- C. Third Parties: Any entity that sells products or services to CPS Energy's customers, either directly to the customer, on behalf of CPS Energy, or to CPS Energy in the ordinary course of business such as billing, customer service, demand response, or other functions related to providing goods and/or services to CPS Energy or its customers.
- D. Customer(s): Any person, corporation, government or other legal entity to which CPS Energy provides services or from whom CPS Energy collects Confidential Information. For purposes of this Policy, "Customer" includes person or entities that receive such services regardless of whether they have a contractual relationship with CPS Energy or pay compensation for the services received.

### **III. Sources of Confidential and Non-Confidential Information.**

- A. CPS Energy collects Confidential Information from sources such as:
  - customer interactions with CPS Energy, such as during phone calls when service is initiated or when determining eligibility for rebates or other offerings;
  - in your use of CPS Energy's website;
  - forms you may complete;
  - surveys you participate in;
  - inquiries through our walk-in customer care centers, via fax, or by e-mail;
  - information submitted by Third Parties and/or non-profits in connection with certain home energy assistance programs; and
  - interactions between your web browser and the CPS Energy website.
- B. CPS Energy may also obtain Confidential Information when we:
  - notify our customers about updates or changes to our services;
  - alert our customers when new services, options, products, or features become available;
  - offer our customers the opportunity to donate to CPS Energy's energy assistance funds, such as REAP; and
  - obtain a credit report to determine financial creditworthiness.

### **IV. CPS Energy's Use of Confidential Information**

- A. CPS Energy may use Confidential information for its operations and activities including:
  - to identify you in connection with establishing an account;
  - to establish a deposit amount (if any);
  - to maintain your account;
  - to process, evaluate, and respond to account and service requests, inquiries and applications you make as a customer;
  - to provide online bills or usage information;
  - to collect amounts due on your account;
  - to close the account;
  - to communicate with you about products and services;
  - to operate, evaluate, and improve our business (including developing new products and services; managing our communications; performing market research; managing our advertising and marketing; analyzing our products, services, and CPS Energy websites; administering our CPS Energy websites);

- to provide third parties with information gathered from a sufficiently large group of customers regarding the usage habits of customers or broad categories of customers (e.g., industrial business, residential) and disclosed without specifying Personal Information so as to make it unlikely that the person receiving such information could deduce the identities and/or electricity usage habits of individual customers within the group for which the information has been aggregated;
  - to protect against and prevent fraud, unauthorized activity, claims, and other liabilities;
  - to comply with and enforce applicable legal requirements, industry standards, and our policies and terms of use; and
  - to provide you with information on upcoming events or news that may be of interest, outages or other city-wide emergencies, or information on weather conditions affecting energy reliability.
- B. Use of Website. If you visit or use the CPS Energy website, we may use “cookies” (small text files transferred from our website to your hard drive) to recognize repeat users, track usage and facilitate your access to and use of the site. We may use cookies, for example, to keep track of your preferences and profile information. Cookies are also used to collect non-personally identifiable information such as general usage to compile aggregated statistics about visitors to our site. This enables us to provide you with the best experience possible. A cookie cannot be executed as code or deliver viruses. You can refuse the cookie or delete the cookie file from your computer by adjusting your web browser privacy settings or by other widely available methods. Note: you may not be able to use certain features of the CPS Energy website if your web browser does not accept cookies, or your privacy settings prevent certain access.

Your use of the CPS Energy website is subject to the conditions found in this Policy and to the terms of use of the CPS Energy website found on the website home page.

- C. Use of E-Mail Addresses. Individuals who supply their addresses (e-mail or postal mail) or phone numbers (land-line or cell) may receive periodic messages from CPS Energy. If you do not want to receive such communications from CPS Energy in the future (except with respect to communications in connection with your CPS Energy account), please let us know.

**V. Disclosure of Confidential Information** As a general matter, CPS Energy may disclose or release personal information:

- when authorized by you or when necessary to provide you with a service you have requested;
- to communicate with you about issues related to your application, account, or request for service;
- when necessary to comply with an order of a government agency or court, when requested by a government regulator, or as otherwise required by law;
- to investigate and address CPS Energy system or facility problems; as appropriate to protect CPS energy’s legal rights; during emergencies; in the event physical safety is believed to be at risk; and when necessary to protect the security of CPS Energy assets;
- as required by law under a Texas Public Information Act request; to a commercial or consumer credit reporting agency for credit related activities;

- with other permitted uses of your personal information (subject to appropriate confidentiality agreements);
- to individual contractors, partners, other utilities, agents or third-party service providers who assist CPS Energy directly or indirectly in providing you with products and services; and
- to any entity for which CPS Energy bills you for goods or services.

#### **VI Submissions to CPS Energy**

Any information, suggestion, idea, graphic, remark, or other submission made, whether submitted by e-mail phone or other means specified in this Policy, shall become the exclusive property of CPS Energy to use as it sees fit in its sole discretion, and shall not be deemed to be Confidential Information except as provided by this Privacy Policy. CPS Energy shall be entitled to use any such submission and any derivative works created therefrom, and any related concepts, ideas, techniques, or know-how for any lawful purpose without any obligation to any customer submitting the same and without any other restriction, permission, or compensation. Each customer making any such submission thereby acknowledges and accepts responsibility for the information's accuracy, completeness, appropriateness, and legality.

#### **VII. Data Security**

CPS Energy maintains administrative, technical and physical safeguards designed to protect the Confidential Information you provide against accidental, unlawful or unauthorized destruction, loss, alteration, access, disclosure or use. In the event your Confidential Information is compromised through no fault by you, CPS Energy shall provide notice to you consistent with state and federal privacy laws. Note: CPS Energy will never ask for you to send your password to them or any other person or company via an e-mail.

#### **VIII. Changes to this Privacy Policy**

This Privacy Policy may be updated periodically and without prior notice to you to reflect changes.