



ERIE THAMES POWER
CORPORATION

Privacy Code

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Introduction – Erie Thames Commitment to Privacy

Protecting your privacy and the confidentiality of your Personal Information has always been a fundamental aspect to the way Erie Thames does business. The collection, use and disclosure of customers' Personal Information is essential to our day-to-day business operations and as such, we strive to provide you with the best customer service. This includes respecting your privacy and treating you fairly. This Privacy Code has been established to inform you about our practices and procedures concerning the collection, usage and disclosure of your Personal Information. It tells you the ways we ensure that your privacy and the confidentiality of your Personal Information are protected.

Applicability of Privacy Code

In this Code, the references to "Erie Thames", "we", "us" and "our" means Erie Thames Power and its affiliate Erie Thames Service. The words "you" and "your" means the individual who is a customer or potential customer or a vendor or other person whose Personal Information is in our possession and control. "Personal Information" means any factual or subjective information, recorded or not, about an identifiable individual and this includes information in any form such as:

- Age, name, ID numbers, income, ethnic origin, or blood type
- Opinions, evaluations, comments, social status, or disciplinary actions
- Employee files, medical records.

Personal Information does not include the name, title, business address or telephone of an employee of an organization.

Key Principles

Our Code is based on the following 10 key principles of privacy which form part of the *Personal Information Protection and Electronic Documents Act* (PIPEDA) and which were established by the Canadian Standards Association's *Model Code for the Protection of Personal Information* (CAN/CSA-Q830-96), which was published in March 1996 as a National Standard of Canada:

1. Accountability:

An organization is responsible for Personal Information under its control and shall designate an individual or individuals who are accountable for the organization's compliance with the principles established in the Personal Information Protection and Electronic Documents Act.

2. Identifying Purposes:

The purposes for which Personal Information is collected shall be identified by the organization at or before the time the information is collected.

3. Consent:

The knowledge and consent of the individual are required for the collection, use, or disclosure of Personal Information, except where inappropriate.

4. Limiting Collection:

The collection of Personal Information shall be limited to that which is necessary for the purposes identified by the organization.

5. Limiting Use, Disclosure, and Retention:

Personal Information shall be protected by security safeguards appropriate to the sensitivity of the information.

6. Accuracy:

Personal Information shall be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.

7. Safeguards: Protecting Personal Information

Personal Information shall be protected by security safeguards appropriate to the sensitivity of the information.

8. Openness:

An organization shall make readily available to individuals specific information about its policies and practices relating to the management of Personal Information.

9. Individual Access:

Upon request, an individual shall be informed of the existence, use, and disclosure of his or her Personal Information and shall be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

10. Challenging Compliance:

An individual shall be able to address a challenge concerning compliance which the above principles to the designated individual or individuals accountable for the organization's compliance.

Implementation of Principles

In this Code, we will explain how we fulfill each of the above important principles.

1. Accountability:

An organization is responsible for Personal Information under its control and shall designate an individual or individuals who are accountable for the organization's compliance with the principles established in the Personal Information Protection and Electronic Documents Act.

Each employee, director and officer of Erie Thames is responsible for the Personal Information under his or her possession or custody, including information that has been transferred to a third party for processing. In addition to establishing this Code, we have appointed a member of our staff as a Chief Privacy Officer. Our Chief Privacy Officer is accountable for our compliance with this Code and the principles outlined herein.

2. Identifying Purposes:

The purposes for which Personal Information is collected shall be identified by the organization at or before the time the information is collected.

Either before or when we collect Personal Information about you, we will explain to you how we intend to use it. We will limit the information we collect to what we need for those purposes, and we will use it only for those purposes. We will obtain your consent if we wish to use your information for any other purpose and before collecting information from third parties. If information that has been collected is to be used for a purpose we did not previously explain to you, we will inform you of that new purpose before we use the information.

Erie Thames collects Personal Information only for the following purposes:

- To provide electricity products and services;
- To manage and develop Erie Thames business and operations;
- To meet legal and regulatory requirements;
- To recommend particular products and services to meet your needs;
- To provide you with information about the electricity market and rates.

3. Consent:

The knowledge and consent of the individual are required for the collection, use, or disclosure of Personal Information, except where inappropriate.

We will not collect, use or disclose to a third party your Personal Information without your consent, except where:

- a) we are required or permitted to do so by law;
- b) such information could aid in an emergency where people's lives and /or safety may be at stake.

In addition, we will not disclose your Personal Information to a third party without your consent except where such information is required to be disclosed for billing, settlement or market operation purposes or for the processing of past due accounts. We will use reasonable efforts to ensure that you are advised of the purposes for which the information will be used in a way that you can reasonably understand.

Consent may be expressed in writing or implied, depending on all the surrounding circumstances, including the purposes for which it is being collected and the sensitivity of the information. In some cases, you may provide consent verbally, electronically or through an authorized representative.

We cannot tie the provision of services or products to a requirement for consent to the collection, use or disclosure of Personal Information, except as necessary to fulfill an identified, legitimate purpose. We may obtain your consent, for example, by way of an application form or, where disclosure to third parties is contemplated, an opt-out check-off box (whereby failure to opt-out is presumed to constitute consent). In determining the form of consent to use, we will take into account the sensitivity of the information and your reasonable expectations.

You may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice and we will explain the implications of such withdrawal.

4. Limiting Collection:

The collection of Personal Information shall be limited to that which is necessary for the purposes identified by the organization.

We shall limit the collection of Personal Information to that which is necessary for the purposes identified and we shall collect the information by fair and lawful means.

The type of information we usually collect and maintain in your customer file may include your:

- Name
- Mailing and local Address
- E-mail Address
- Telephone Number
- Social Insurance Number
- Credit History
- Transaction History
- Driver's Licence Number

Personal Information is information that refers to you specifically. With your consent, we may collect Personal Information from you in person, at one of our offices, over the telephone or by corresponding with you via mail or the Internet. The choice to provide us with your Personal Information is always yours.

5. Limiting Use, Disclosure, and Retention:

Personal Information shall be protected by security safeguards appropriate to the sensitivity of the information.

Erie Thames shall not use or disclose Personal Information for purposes other than those for which it was collected, except with the consent of the individual or as required by law. We shall retain Personal Information only as long as necessary for the fulfillment of those purposes.

There are some unavoidable types of disclosure of your Personal Information which may occur occasionally as part of Erie Thames fulfilling its routine or regulatory obligations and/or conducting its business in the ordinary course. In those instances where we do provide Personal Information to third parties, we provide only that information that is required in the circumstances and we will subject the third parties to strict confidentiality provisions that have been designed to protect the privacy and security of your information. We will ensure that these third parties are made aware of and comply with this Code and we will disclose the information to them only to the extent necessary to allow them to provide business services or support to Erie Thames. Third parties may include:

- A collection agency for the purpose of the collection of past due amounts; or
- A service provider that has been engaged by Erie Thames to perform certain services for us, for example, partners, consultants and suppliers to Erie Thames.

Erie Thames collects Personal Information primarily from its customers but it may also collect Personal Information from other sources including credit bureaus, employers or personal references.

Erie Thames does not trade or sell your Personal Information to others.

Erie Thames will occasionally collect your Personal Information when you visit the www.eriethamespower.com website. This information is collected, used and disclosed under the same circumstances and according to the same policies and procedures as information you provide to Erie Thames in an off-line environment.

6. Accuracy:

Personal Information shall be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.

Erie Thames will ensure that Personal Information shall be as accurate, complete and up-to-date as is necessary for the purposes for which it was obtained. While we will do our best to base our decisions involving Personal Information on accurate information, we rely on individuals to disclose all material information and to inform us of any relevant changes to their Personal Information.

We will make reasonable efforts to keep your information accurate and up-to-date, based upon satisfactory evidence provided by you and to the extent updated information is relevant for the purpose for which it was originally collected. We encourage you to review and confirm the accuracy of information provided. If you find any errors in any such information, we urge you to immediately contact us (by phone, fax, mail or e-mail) and we will make the appropriate corrections immediately, upon receipt of appropriate evidence.

7. Safeguards: Protecting Personal Information

Personal Information shall be protected by security safeguards appropriate to the sensitivity of the information.

Erie Thames will protect Personal Information by using security safeguards appropriate to the sensitivity of the information. We audit our procedures and security measures regularly to ensure that they are being properly administered and that they remain effective and appropriate.

Erie Thames shall protect Personal Information against loss or theft, as well as unauthorized access, disclosure, copying, use or modification. The nature of the safeguards will vary depending on the sensitivity of the information that has been collected, the amount, distribution and format of the information, and the method of storage.

Erie Thames protects all Personal Information regardless of the format in which it is held. The methods of protection include:

- i) physical measures, such as locked filing cabinets and restricted access to cabinets and offices;
- ii) organizational measures, such as security clearances and limited access on a “need to know” basis;
- iii) technological measures, such as the use of passwords and encryption.

8. Openness:

An organization shall make readily available to individuals specific information about its policies and practices relating to the management of Personal Information.

We have prepared this plain-language Privacy Code to make you aware of our policies and procedures relating to the management of Personal Information. It is available to the public upon request.

9. Individual Access:

Upon request, an individual shall be informed of the existence, use, and disclosure of his or her Personal Information and shall be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

We will give you access to the Personal Information we retain about you within a reasonable time, with a written request and satisfactory identification. You also have the right to know of the existence, use, and disclosure of your Personal Information. We

may charge a nominal fee for responding to any request and if so, we will give you notice in advance of costs for processing your request.

If we deny your individual request for access to your Personal Information, we will advise you in writing of the reason for the refusal and you may then challenge our decision. Some examples of the reasons why we may not be able to provide you with access to your Personal Information include:

- where providing access would be likely to reveal Personal Information about a third party;
- where the information cannot be disclosed for legal, security or commercial proprietary reasons; or
- where the information is subject to solicitor-client or litigation privilege.

10. Challenging Compliance:

An individual shall be able to address a challenge concerning compliance with the above principles to the designated individual or individuals accountable for the organization's compliance.

You may address a challenge concerning compliance with the above principles as outlined in the Section Below entitled "Questions or Concerns".

Customer Choice

In most cases, you are free to refuse or withdraw your consent to the collection, use or release of your Personal Information at any time by contacting us as specified in the Questions or Concerns section below. Our staff will be pleased to explain your options and any consequences of refusing or withdrawing your consent and we will record and respect your choices.

Questions or Concerns

If you have any questions, concerns or problems about privacy, your Personal Information, this Code or how a request for information was handled, please contact our Privacy Officer as follows:

- Mail: 280 Elm Street
Aylmer, Ontario N5H 3G3
- Telephone: (519) 773-2931
- Fax: (519) 773-2978
- E-mail: privacy@erie-thamespower.com

Updates to Privacy Code

Any changes to our Privacy Code and information handling practices and procedures shall be acknowledged in this Privacy Code in a timely manner. We may add, modify or remove portions of this Code when we feel it is appropriate to do so.