

PRIVACY AND CONFIDENTIALITY POLICY

PEDERNALES ELECTRIC COOPERATIVE, INC.

BOARD ADOPTED: April 20, 2009

BOARD AMENDMENTS: December 14, 2009

I. Objective

To establish fair information principles for Pedernales Electric Cooperative (“The Cooperative”) in carrying out its responsibility to respect the privacy and confidentiality of member information.

II. Policy

A. Notice

1. The Cooperative discloses to its members its policies and practices for the collection, maintenance, use, and disclosure of identifiable information about its members.
2. The Cooperative collects and maintains appropriate information about its members as a routine part of its operations.
3. When providing electricity and related services, the Cooperative may collect and maintain personal information from members, including name, address, address history, telephone number, Social Security number, credit information, and payment and usage history. Usage history may include information on a member’s property and appliances, service history, and information maintained for meter reading purposes (e.g., warning about a dog in the yard or gate lock combination).
4. Membership and governance activities may result in the maintenance of capital and patronage account information for members and former members.
5. The Cooperative may survey a sample of its members to collect information to identify needs or improve service.
6. This notice describes generally the Cooperative’s privacy and confidentiality policies. The policy is not a formal limitation on the ability of the Cooperative to use, manage, and disclose its records as the Cooperative determines to be necessary, appropriate, or as required by law. It is subject to change without notice.

B. Trust

1. General Practices: The Cooperative maintains information about members for purposes that are suitable to its operations and management. Information is collected only through lawful and fair means and for appropriate purposes. The Cooperative is committed to maintaining accurate, complete, timely, relevant,

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

2. Access: The Cooperative generally permits its members to access records about themselves that are used by the Cooperative to provide service, for billing, and to manage capital accounts. Any person who wants to identify personal records maintained by the Cooperative or access the records:

**Open Records Request
Pedernales Electric Cooperative, Inc.
P.O. Box 1
Johnson City, Texas 78636-0001**

C. Security

1. The Cooperative 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. The Cooperative provides reasonable and appropriate security to protect against foreseeable hazards.
2. Any employee or contractor of the Cooperative who fails to comply with these rules may be subject to disciplinary action up to and including dismissal.

D. Use and Disclosure

1. The Cooperative 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 about members may be used and disclosed.
2. Records may be disclosed to affiliates or contractors hired by the Cooperative to assist in carrying out operations, such as service, billing, and management functions including legal, election, audit, and collection services.
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).
4. Records may also be compiled in aggregate form for Cooperative management activities.

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5. Records may be disclosed when required by law, such as in response to a search warrant, subpoena or court order. The Cooperative 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 the Cooperative's legal rights or during emergencies if physical safety is believed to be at risk. The Cooperative will take reasonable steps to limit the scope and consequences of any of these disclosures.
6. Records about a member may be disclosed at the request of or with the permission of the member. Records about a member will not be disclosed under the Cooperative's Open Records policy without the permission of the member.
7. Records about a member may be disclosed to the extent otherwise allowed by law to a person with a superior property interest in the premises at which service is being provided (e.g., a landlord), in order to prevent waste or harm to those premises.
8. Membership lists of the Cooperative may be disclosed to a member of the cooperative in connection with Cooperative election activities, as allowed by the Cooperative's Membership List Policy. The Cooperative may undertake a mailing on behalf of and at the expense of a third party but will not disclose the mailing list to the third party, except as allowed by the Cooperative's Membership List Policy.
9. The Cooperative does not sell, rent, loan, exchange, or otherwise release mailing lists or telephone lists of members, except as allowed by the Cooperative's Membership List Policy.

E. Questions and Disputes

Questions about the policy may be directed to:

**Open Records Request
Pedernales Electric Cooperative, Inc.
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Any disputes over access, correction, or other matters may also be directed to that office. The Cooperative will do its best to resolve any questions or problems that arise regarding the use of member information.

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III. Responsibility

- A. The board shall ensure that this policy reflects current practices for personal information about members.
- B. The General Manager shall ensure that this policy is adhered to.