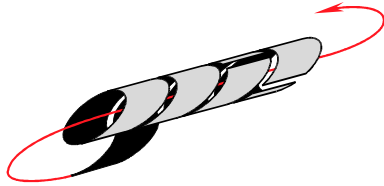


POLICY AND PROCEDURES

Oshawa



Power & Utilities Corporation

DEPARTMENT: ADMINISTRATION

SUBJECT: PRIVACY OF PERSONAL INFORMATION

POLICY #: AD-0203

ISSUE DATE: APRIL 14, 2004

REVISION DATE: JANUARY 30 2018

PAGE: 1 OF 9

Preface:

In this Privacy Policy, "OPUC", "we", "us" or "our" means Oshawa Power and Utilities Corporation Inc., and its affiliates, including but not limited to Oshawa PUC Networks Inc., Oshawa PUC Energy Services Inc., Oshawa PUC Services Inc., and 2252112 Ontario Inc., and "customer", "you", and "your" means an individual customer, prospective customer, or other individual member of the public whose personal information is in our custody or control. This Privacy Policy does not apply to information about businesses, it applies to individuals only. OPUC does, however, protect the confidentiality of business customer information in accordance with applicable law, including regulatory codes of conduct issued by the Ontario Energy Board (OEB), and contractual arrangements.

OPUC is committed to keeping the personal information of its customers accurate, confidential, secure and private. Our Privacy Policy has been designed to inform employees, customers and subcontractors of OPUC of our commitment and recognition to our obligation to meet the spirit and terms of the federal Personal Information Protection and Electronic Documents Act (PIPEDA), Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and other applicable legislation.

Our Privacy Statement also describes the choices you can make about how we collect, use, and disclose your information. If our information practices change, we will post an updated policy on our website. Substantial changes will be highlighted in the policy for a period of 30 days after posting. After this 30-day period, the changes will take effect on a go-forward basis. You can tell if the policy has changed by checking the Last Updated date that appears at the top of this policy.

APPROVED BY: (ORIGINAL SIGNED)

DATE: JANUARY 30, 2018

JEFF ROSENTHAL PRESIDENT AND CEO

Contents:

This Privacy Policy addresses personal information about customers or members of the public and how OPUC collects, uses, discloses, handles and protects the privacy of such personal information. It addresses the reasons why such information is collected, used, or disclosed, how the information is safeguarded, and outlines the individuals' rights in respect of this information. This Privacy Policy incorporates principles for the protection of personal information, as set out in PIPEDA. This Privacy Policy also gives details with respect to your use of OPUC's Website.

For the purposes of this Privacy Policy, "personal information" means information about an identifiable individual, but does not include an individual's business contact information or work product. Personal information does not include information that has been aggregated or de-identified, such that an individual's information cannot be identified.

By accepting service from us, visiting or using our Website, or otherwise providing us with your personal information after having been given notice of this Policy, you are accepting the practices described in this Privacy Policy, as they may be amended by us from time to time. We will endeavour to bring any policy changes to your attention, but you should periodically review the Policy for changes at www.opuc.on.ca.

Personal Information Protection Policy:

- 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 herein.*

OPUC is accountable for the protection of personal information within its custody or control, including any personal information that OPUC has transferred to a third party for processing purposes. OPUC may engage third parties from time to time to perform services for OPUC that involve access to personal information. Such third parties may be located outside of Ontario or Canada and, in such instances, the information might be accessed according to the laws in those jurisdictions. OPUC shall use contractual or other means to provide a comparable level of protection of this information while the information is being processed by such third parties. OPUC's Chief Privacy Officer is accountable for OPUC's compliance with this Privacy Policy Statement. The Chief Privacy Officer may be contacted as follows for additional information on OPUC's collection and use of personal information:

Chief Privacy Officer
Oshawa Power and Utilities Corporation Inc.
100 Simcoe St., S.
Oshawa, ON
L1H 7M7
Tel: 905-723-4626
Fax: 905-723-3248
Email: privacy@opuc.on.ca

2) **Identifying Purpose:** *The purposes for which Personal Information is collected shall be identified by the organization at or before the time the information is collected.*

OPUC collects, uses, and discloses personal information as authorized or required by applicable law (including MFIPPA) and for purposes consistent with the services you have requested from OPUC and for the OPUC programs in which you are enrolled. Furthermore, personal information may be used for purposes such as to:

- authenticate identity;
- contact customers (at mailing and/or service address), respond to customer inquiries or service issues, and to otherwise maintain business relations with customers;
- deliver, monitor, and maintain electricity service;
- monitor and assess quality of service (for example, OPUC may monitor and/or record telephone communication with you for quality assurance and training purposes);
- bill and collect payment and maintain records of same (including arrangements for pre-authorized payments through bank account or credit card);
- determine account eligibility and creditworthiness (for example, credit and reference checks);
- provide information to credit bureaus and other utility providers to update credit information;
- address and respond to issues related to the usage of critical, power dependant, medical equipment during an outage;
- provide information to third party service providers, such as an electricity retailer with whom you have contracted;
- minimize, investigate, and/or report potentially dangerous use of electricity, error, fraud, theft of power, or other breach of law or contract;
- assist OPUC with legal matters or proceedings, including preparation for same;
- facilitate a business transaction involving OPUC assets, such as a transfer, sale, or financing of assets;
- provide customers or members of the public with information about OPUC services, the electricity industry, rates, and energy conservation;
- facilitate the development, communication, delivery, review, or analysis of climate change, conservation, and demand management programs by OPUC or its contractors;
- request customer or public participation in surveys, contests or other similar activities and initiatives;
- notify customers or members of the public about events, causes, or programs sponsored by OPUC and to keep track of participation levels and interest in such events;
- provide individuals with information they have requested, such as financial quarterly reports or news releases;
- administer Ontario Energy Board programs or mandates to which OPUC is required, or has otherwise agreed, to perform;
- prepare financial records for OPUC;
- meet other legal, regulatory and electricity market operation authorizations and requirements; and,
- other uses that enable OPUC to provide best-in-class customer services and programs.

The above collections, uses and disclosures, which are not exhaustive, are a necessary part of your relationship with OPUC.

- 3) **Consent:** *The knowledge and consent of the individual are required for the collection, use, or disclosure of Personal Information, except where inappropriate.*

By providing your personal information to us you are consenting to the Terms and Conditions surrounding OPUC's information handling policies and procedures contemplated herein. When you request or consent to services or to be part of a program administered by OPUC, you are consenting to the collection, use and disclosure of your personal information as reasonably necessary to perform the services or the program (for example, by accepting distribution and related services from us, your consent to the collection, use and disclosure of your personal information for the purposes of providing you with such distribution and related services is implied).

Any additional consent required by law may be provided orally, in writing, electronically, or implied (such as when you fail to notify OPUC that you do not consent to collection, use, or disclosure for certain purposes after you have received notice of those purposes, for example, through this Privacy Policy Statement) or otherwise.

Consent may be obtained directly from you or from a third party that has obtained your consent to disclose your personal information to OPUC. (For example, if you sign a separate contract with a retailer, OPUC may obtain your personal information from the retailer and OPUC may provide your billing and consumption information to the retailer.) Consent may also be given by an authorized representative such as a legal guardian or person with power of attorney.

Subject to certain legal and contractual restrictions and reasonable notice, you can refuse or withdraw your consent to the collection, use, or disclosure of your personal information at any time. However, refusal to provide such consent, or withdrawal of such consent, may prevent us from providing you with certain products or services for which information is necessary. OPUC reserves the right to terminate your use of products or services at the time consent is withdrawn.

In certain circumstances under the laws of Canada and Ontario, OPUC may have a duty or right to collect, use, or disclose your personal information without your knowledge or consent.

- 4) **Limiting Collection and Access:** *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 or that is otherwise permitted or required by law, 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:

- Name;
- Mailing and local Address;
- E-mail Address;
- Telephone Number;

- Mobile Phone Number;
- Date of Birth;
- Credit History;
- Transaction History;
- Banking Information;
- Driver's Licence Number;
- Energy usage and usage patterns, and/or
- Any other Identification Number, provided by you.

OPUC will not request health card information, or Social Insurance Numbers.

With your consent, we may collect Personal Information from you in person, at our offices, over the telephone, or through correspondence. The choice to provide us with your Personal Information is always yours, however failing to provide necessary information may prevent service, or prevent access to your account. By providing our office with this information you are assumed to have consented to this policy.

- 5) **Limiting Use, Disclosure, and Retention:** *Personal Information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law.*

OPUC will use and disclose personal information as reasonable and necessary for the purposes outlined above as otherwise consented to by you, and as authorized or required by applicable law.

Further, because of 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 (OEB). When OPUC retains service providers to perform services on OPUC's behalf, personal information necessary to perform such services may be transferred to such service providers. OPUC may also disclose personal information to its regulatory authorities for purposes of complying with its legal or contractual obligations, such as administering certain energy savings programs. Except for purposes consistent with this Privacy Statement, OPUC 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 for:

- billing or market operation purposes;
- law enforcement purposes; or
- the purpose of complying with a legal requirement.

OPUC will retain personal information only for so long as is necessary to fulfill the purpose for which it was collected and to meet our legal and contractual obligations. In the course of a business transaction, such as a proposed sale of OPUC's business or assets (or a part thereof), or a merger or amalgamation of OPUC with another company, we may disclose (with appropriate safeguards) your personal information to third parties such as prospective purchasers of OPUC's

shares, business or assets, and to their lawyers, accountants, financial advisors, agents, and/or other representatives as necessary for the purposes of such transaction.

- 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.*

OPUC will use reasonable efforts to 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:** *Personal Information shall be protected by security safeguards appropriate to the sensitivity of the information.*

OPUC will use all reasonable efforts to protect Personal Information by using security safeguards that we believe are 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. OPUC 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.

The methods of protection include:

- physical measures, such as locked filing cabinets and restricted access to cabinets and offices;
- organizational measures, such as privacy orientation for new employees, annual company-wide privacy presentations, and limited access on a “need to know” basis; and
- 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 policy to make you aware of our policies and procedures relating to the management of Personal Information. It is available to the public online at www.opuc.on.ca. The policy will also be made available in hard copy at our office.

- 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.*

Upon request and with satisfactory proof of the customer's identity, any customer of OPUC may obtain information regarding the type, use and disclosure, of his, or her, personal information that OPUC has in its custody or control. Any customer may request that his, or her, personal information be amended for purposes of accuracy and completeness. Where a disagreement regarding the accuracy of a customer's information cannot be resolved, OPUC will annotate the information to reflect the disagreement. OPUC may require the customer to provide access or correction requests in writing. We may also charge a nominal fee, as allowable under PIPEDA and MFIPPA, for responding to such requests, and, if so, will advise you in advance of such costs. This right of access, however, is not absolute. For instance, OPUC may refuse to provide you with access to your personal information where such refusal is authorized or required by law or regulatory authorities.

Customers can make their requests by contacting:

Customer Service
Oshawa Power and Utilities Commission Inc.
100 Simcoe St., S.
Oshawa, ON
L1H 7M7
Tel: 905-723-4623
Fax: 905-743-5222

Email: contactus@opuc.on.ca

Hours of Operation: Monday-Friday 8:30am-4:30pm, excluding holidays

Our customer service representatives will be pleased to further assist you. Response to a customer's request will be made within a reasonable time provided the request is made in writing and the customer provides satisfactory proof of the customer's identity.

- 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.*

Any customer of OPUC may challenge OPUC's compliance with this Privacy Policy Statement in respect of his or her personal information by contacting OPUC's Chief Privacy Officer, in writing, at the contact information provided in section 1 of this policy.

The Chief Privacy Officer will be responsible for investigating all allegations of non-compliance with this Privacy Policy Statement. To the extent possible, the investigation will be conducted in a timely manner. After the investigation is completed, the customer will be advised of the outcome, and a resolution will be implemented, if necessary, as soon as practicable. If it is determined that a breach of this Privacy Policy Statement has occurred, appropriate corrective

action will be taken. Confidentiality will be maintained throughout the investigation to the extent possible and consistent with the goal of a full and fair investigation.

If the Chief Privacy Officer does not resolve the issue to the customer's satisfaction, the customer may contact the Privacy Commissioner of Ontario.

OPUC's Website:

(a) Visiting the OPUC Website

OPUC may collect Personal Information that you voluntarily provide to us when you visit our Website. Personal Information provided by visitors to OPUC's Website will be collected, used, and disclosed in the same manner as information collected by other means, and in a manner consistent with this Privacy Policy Statement. Since this Privacy Policy Statement may be amended from time to time, we recommend that you check the latest version of our Privacy Policy Statement each time you visit our Website.

(b) Security

Users should be aware that personal information could be intercepted over the Internet. OPUC is not responsible for the interception, collection, use, or alteration of information transmitted over the Internet, such as by email.

(c) Automatic Data Collection

As is the case with Websites generally, when visitors access the OPUC Website, the site software automatically collects the internet protocol (IP) address of the computer through which the user is connected to the Internet. The OPUC Website also automatically collects information about the user's Internet browser software, operating system, the date and time of the user's visit, the URL of the last page visited by the user before entering the OPUC family of Websites, and the pages accessed while on our site. This information is not used to gain personal information on individual users but is aggregated with that of other visitors to help us understand how the site is being used and how to make it better.

(d) E-Mail Communications

OPUC adheres to a no spam policy. Unless we have your consent, or it is otherwise permitted at law, we will not send unsolicited email communication. For example, we may send electronic communication for purposes consistent with this privacy statement or to otherwise provide a product, service or information to you that you have requested.

Please note that OPUC reserves the right to contact you, by e-mail or otherwise, if permitted or required by law or regulatory authorities or if there has been a violation of OPUC's Website Terms of Use.

(e) Response Tracking

OPUC uses Website usage information about visitors to our Website who have responded to a promotional campaign about OPUC's services for the purpose of future promotional campaigns, and evaluating usage statistics. For this purpose, we collect information about the campaigns and some of the pages you visit on our Website through the use of tracking numbers passed through

URL's transferred to our information technology as well as pixels tags (also known as clear GIFs). Visitors to the website can opt-out of this tracking through selecting anonymous or incognito settings within their browser.

As well, OPUC may use third-party companies to host and serve online advertisements for OPUC promotional campaigns. Pixel tags may be used in connection with online advertisements, Personal information about you is not collected by any such third-party companies, nor is any tracking information generated from the pixel tag used by them for any purpose other than to report advertising response and Website activity to us.

(f) Links to Third-Party Sites

OPUC's Website contains links to third-party Websites. OPUC is not responsible for (a) any information you provide to other Websites outside of OPUC's domain that you access through a link on our Website or (b) the privacy practices or the content of such Websites outside of OPUC's domain.

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 us using the contact information provided in section 1 of this policy.

OPUC is committed to upholding privacy. We look forward to working with our customers to provide secure and confidential services.