

## **Lyon-Lincoln Electric Cooperative**

### **406 – PRIVACY AND CONFIDENTIALITY**

#### **I. OBJECTIVE**

To establish fair information principles for the cooperative in carrying out its responsibility to respect the privacy and confidentiality of member-owner information.

#### **II. POLICY**

##### **A. Notice**

1. The cooperative discloses to its member-owners its policies and practices for the collection, maintenance, use, and disclosure of identifiable information about its member-owners.
2. The cooperative collects and maintains appropriate information about its member-owners as a routine part of its operations.
3. When providing electricity and related services, the cooperative collects information from member-owners, including name, address, telephone number, Social Security number, credit information, and payment and usage history. Usage history may include information on a member-owner's property and appliances, health information for lifeline service, service history, and information maintained for meter reading purposes (e.g., warning about a dog in the yard).
4. Membership and governance activities may result in the maintenance of capital and patronage account information for member-owners and former member-owners, and contact information for former member-owners.
5. Occasionally, the cooperative may survey a sample of its member-owners to collect information to identify needs or improve service.
6. Other activities by the cooperative or its affiliates will result in the collection of additional information about a member-owner's property, appliances, and activities. This information will be collected and maintained only when and to the extent appropriate to provide the services.
7. 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 member-owners 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, and appropriate information about member-owners as necessary for the purpose for which the information is to be used.
2. **Access and Correction:** The cooperative generally permits its member-owners to access and seek correction of 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, access the records, or correct the records, should contact:

General Manager  
Lyon-Lincoln Electric Cooperative, Inc.  
P.O. Box 639  
Tyler, MN 56178

## C. Security

1. The cooperative maintains member-owner 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. The cooperative requires its employees and, when practicable, its affiliates and contractors who have access to identifiable member-owner information, to sign a statement acknowledging that they have read this privacy and confidentiality policy and agreeing to comply with it. Any employee or contractor 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 member-owners in defined and responsible ways in order to carry out

its operations. This section describes how identifiable information about member-owners 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, audit, and collection services.
3. Member-owner 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 be disclosed to government regulators and other government agencies when authorized or required by law.
5. Records may also be compiled in aggregate form for cooperative management activities.
6. 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 cooperative 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.
7. Records may be shared with other utilities under shared service agreements or to meet operational requirements.
8. Records about a member-owner may be disclosed at the request of or with the permission of the member-owner.
9. Member-owner information may be shared with affiliates and partners of the cooperative that offer products and services to member-owners.
10. Membership lists of the cooperative may be disclosed to a member-owner of the cooperative for a proper purpose, such as in connection with cooperative election activities. In some instances, lists may be made available for appropriate uses without disclosing the list to a third party. For example, the cooperative may undertake a mailing on behalf of and at the expense of a third party. Disclosures of membership lists will only be made in accordance with Policy No. 404 and further uses of any lists so disclosed will be subject to that policy.

11. The cooperative will not sell, rent, loan, exchange, or otherwise release mailing lists or telephone lists of member-owners. The cooperative will not disclose any information about a member-owner to nonaffiliated third parties without the prior, written consent of the member-owner.
12. The member-owners of the cooperative have the right to vote to authorize other uses and disclosures of information.
13. Member-owners may request that their information not be shared with affiliates for the offering of new products and services by submitting a written statement to the General Manager.

#### E. Questions and Disputes

This policy is maintained and supervised by the General Manager. Questions about the policy may be directed to that office. 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-owner information.

Approved by the Board of Directors \_\_\_\_\_  
Board President

Adopted: 2/4/2011  
Effective: 1/1/2011  
Reviewed: 8/24/2015