**NRECA provides this form Policy on Privacy and Confidentiality to guide member cooperatives in developing a policy to address the use, disclosure, and protection of information collected from the cooperative’s member-consumers. NRECA does not guarantee that this form is suitable for use by all electric cooperatives; this policy should be modified and tailored as appropriate to address individual policies and practices, as well as specific obligations under applicable laws, rules, and regulations. In some instances this policy offers alternative provisions for addressing an issue or additional language which cooperatives may wish to consider.**

**This policy does not completely address the privacy and security of information collected through a cooperative’s website. Cooperatives should develop and post on their websites a separate privacy policy that describes how information collected online from member-consumers and the public is used, shared, and protected. Alternatively, this policy could be expanded to address that.**

**“X” Electric Cooperative**

**Policy No. 000**

Policy on Privacy and Confidentiality

Dated [or Updated]:

###### I. Objective

“X” Electric Cooperative respects the privacy and confidentiality of member-consumer information. This policy describes the information that “X” Electric Cooperative collects from its member-consumers as a routine part of its operations, and how it uses, protects, and shares the information that it collects.

###### II. Policy

**A. Categories of Information Collected**

**“X” Electric Cooperative collects and maintains appropriate information about its member-consumers, including:**

1. Contact information, including a member-consumer’s name, address, telephone number, and e-mail address [“X” Electric Cooperative might also collect a user name and password for online access].
2. Billing information, including Social Security number, credit information, financial account information, and payment history.
3. Electric usage data gathered by “X” Electric Cooperative’s metering systems and a member-consumer’s service history [which may include information on a member-consumer’s property and appliances and information maintained for meter reading purposes (e.g., warning about a dog in the yard)].
4. Capital and patronage account information for member-consumers and former member-consumers and contact information for former member-consumers resulting from membership and governance activities.
5. Responses to member-consumer survey(s) conducted by “X” Electric Cooperative to identify needs or improve service.
6. Additional information about a member-consumer or a member-consumer’s property, appliances, and activities obtained through services offered by “X” Electric Cooperative or its affiliates [such as security, home improvement, and lifeline services].

**B. Purposes for Collection; Access and Correction**

1. “X” Electric Cooperative collects and maintains information about member-consumers for purposes that are suitable to its operations and management. Information is collected only through lawful and fair means and for appropriate purposes.

2. “X” Electric Cooperative is committed to maintaining accurate, complete, timely, relevant, and appropriate information about member-consumers as necessary for the purpose for which the information is to be used. “X” Electric Cooperative generally permits its member-consumers to access and seek correction of records about themselves that are maintained and used by “X” Electric Cooperative to provide service, for billing, and to manage capital accounts. Any requests for, or disputes relating to, access, correction, or other matters should be directed to [“X” Electric Cooperative, office/department, address, email, telephone]. [“X” Electric Cooperative will do its best to resolve any questions or problems that may arise regarding the use of member-consumer information.]

3. [“X” Electric Cooperative may provide usage data to member-consumers who have access to electric usage data through an interface, such as a website or in-home display. “X” Electric Cooperative may wish to describe how such access is provided/what data is made available.]

**C. How “X” Electric Cooperative Collects Member-Consumer Information**

**“X” Electric Cooperative collects member-consumer information through the following methods:**

1. When member-consumers create an account and interact with “X” Electric Cooperative regarding their account, utility service, or participation in “X” Electric Cooperative programs.
2. When member-consumers use electricity service and metering systems [including smart meters].
3. [When member-consumers interact with “X” Electric Cooperative through its website (insert link to “X” Electric Cooperative homepage)].
4. [When “X” Electric Cooperative interacts with third parties, such as credit agencies].

**D. Use and Retention of Member-Consumer Information by “X” Electric Cooperative**

1. “X” Electric Cooperative uses information about member-consumers in defined and responsible ways in order to manage, provide, and improve its products, services, and operations. [“X” Electric Cooperative can add specific examples of use, such as to: administer member-consumer accounts; inform member-consumers about their energy usage; provide member-consumers with outage information, peak alerts, and warning messages; and communicate with member-consumers about programs or opportunities that may be of interest to them.]
2. Data about member-consumers’ electric usage may be compiled in aggregate form so that an individual member-consumer’s daily energy usage habits are not revealed, and such data may be used by “X” Electric Cooperative to improve system operations, efficiency and overall customer service.
3. X” Electric Cooperative retains member-consumer information, including energy usage data, in such amounts and for such periods of time as required by law or regulation or as reasonably necessary to provide services [describe specific retention periods that “X” Electric Cooperative has implemented].

**E. Security**

1. “X” Electric Cooperative maintains member-consumer information with reasonable and appropriate technical, administrative, physical and cyber safeguards to protect against loss, unauthorized access, destruction, misuse, modification, and improper disclosure of member-consumer information. [Describe specific safeguards, such as encryption, restricted access, etc.] Member-consumers are warned, however, that no system can ever be fully protected against every possible hazard.
2. “X” Electric Cooperative requires its employees, affiliates and contractors who have access to member-consumer information to [agree in writing to] comply with this privacy and confidentiality policy. [Any employee or contractor who fails to comply with these rules may be subject to disciplinary action up to and including termination.]
3. Member-consumer information that member-consumers may access through “X” Electric Cooperative’s website is protected using cyber security protocols designed to prevent unauthorized third parties from accessing such information. [This should be expanded upon and addressed in a separate online privacy policy, or this policy can be expanded to address that.]

**F. Disclosure to Third Parties**

1. “X” Electric Cooperative does not share member-consumer information [“X” Electric Cooperative might refine the definition of “member-consumer information” here to include, e.g., a member-consumer’s electric usage data and information that can reasonably be used to identify an individual] with a third party, except at the member-consumer’s [prior written] request, with the member-consumer’s [prior written] consent, or as described below. Member-consumers who wish to authorize “X” Electric Cooperative to disclose their information to a third party may do so by [contacting “X” Electric Cooperative as described below.]

**[Include all of the provisions below that apply. Confirm that such sharing is permitted under applicable laws, rules, and regulations.]**

1. Information may be disclosed to affiliates or contractors hired by “X” Electric Cooperative to assist in carrying out operations, such as service, maintenance, billing, and management functions including legal, audit, and collection services. Information may also be shared with other utilities under shared service agreements or to meet operational requirements. Information will only be disclosed to such persons to the extent necessary to render the services, and only to those who agree [in writing] to maintain the confidentiality and security of the information.
2. “X” Electric Cooperative may disclose to and share information with commercial and consumer credit reporting agencies for credit-related activities (e.g., the reporting of bad debts).
3. Sufficiently aggregated information may be disclosed to third parties where necessary or beneficial for “X” Electric Cooperative’s operations [for example, to improve efficiency and overall customer services].
4. Information may be disclosed when authorized or required by law, including in response to a search warrant, subpoena, or court or law enforcement order. [For example, “X” Electric Cooperative may use and disclose records for investigations into employee misconduct or for law enforcement investigations related to its business.] Disclosures may also be made when appropriate to protect “X” Electric Cooperative’s legal rights or in situations involving an imminent threat to life or property. “X” Electric Cooperative will take reasonable steps to limit the scope and consequences of any of these disclosures.
5. For home security customers, “X” Electric Cooperative may share information with law enforcement authorities, as authorized in service agreements.
6. In addition, information may be shared with affiliates and partnersof “X” Electric Cooperative that offer products and services of interest to member-consumers. Member-consumers may request that their information not be shared with affiliates or partners for the offering of new products and services by [describe how member-consumers can opt-out]. Nevertheless, “X” Electric Cooperative does not sell, rent, loan, exchange, or otherwise release member-consumer information to non-affiliated third parties or partners for their marketing purposes, without a member-consumer’s [prior written] consent. [Alternative language: Except as set forth above under F.2, “X” Electric Cooperative may decide to require a member-consumer’s [prior written] consent in order to share information with any affiliate, partner or third party offering products or services or for other marketing purposes.]
7. “X” Electric Cooperative may make information regarding third party products and services available to member-consumers through the co-op’s website.

**G. Disclosure of Membership Lists to Member-Consumers**

1. Membership lists of “X” Electric Cooperative may be disclosed to a member-consumer of the cooperative for proper purposes, such as in connection with Cooperative election activities. Such disclosures will only be made in accordance with a policy adopted by the Board [or the membership], and further uses of any lists so disclosed will be subject to that policy. [In some instances, membership lists may be made available for appropriate uses without disclosing or sharing the list to a third party. For example, “X” Electric Cooperative may undertake a mailing on behalf of and at the expense of a third party.]

**H. How to Contact “X” Electric Cooperative**

1. This policy is maintained and supervised by [“X” Electric Cooperative, office/department, address, e-mail, telephone]. Questions about the policy may be directed to that office.

###### III. Responsibility

**A. The Board of “X” Electric Cooperative shall ensure that this policy reflects current practices for personal information about member-consumers.**

**B. The [Board or member-consumers] of “X” Electric Cooperative have the right to vote to authorize other uses and disclosures of information, subject to applicable laws, rules, and regulations.**

**C. The Chief Executive of “X” Electric Cooperative shall ensure that this policy is adhered to.**