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Newmarket-Tay Power Distribution Ltd.

# Privacy Policy Statement

January, 2008

## PREFACE

Newmarket - Tay Power Distribution Ltd. 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 Newmarket - Tay Power Distribution Ltd. of our commitment and recognition to our obligation to meet the spirit and terms of the federal *Personal Information Protection and Electronic Documents Act* and other applicable provincial legislation.

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Our Privacy Policy describes the principles by which Newmarket - Tay Power Distribution Ltd. protects the privacy of personal information in its possession. It addresses the reasons why such information is collected, how it is used, how its confidentiality is protected and outlines the customers' rights in respect of this information. Our Privacy Policy incorporates and expands the 10 Personal Information Protection Principles, as devised by the Canadian Standards Association. This Privacy Policy does not apply to information about business customers who carry on business as corporations, partnerships or other forms of association. Newmarket - Tay Power Distribution Ltd. does, however, protect the confidentiality of such information in accordance with the law, regulatory requirements and our own policies.

## PERSONAL INFORMATION PROTECTION PRINCIPLES

### 1. Accountability

Newmarket - Tay Power Distribution Ltd. is accountable for the protection of all personal information within the organization's possession or control, including any personal information that has been transferred to a third party for regulatory, legal or processing purposes. Newmarket - Tay Power Distribution Ltd. will require a comparable level of protection of this information from its third party relations.

We have appointed a Privacy Officer, who has overall responsibility for the protection of personal information and for Newmarket - Tay Power Distribution Ltd.'s compliance with this Privacy Policy.

### 2. Identifying Purposes

Personal information that Newmarket - Tay Power Distribution Ltd. collects from customers includes:

- the customer's name and address and other contact information, such as telephone numbers and email address;
- facts about consumption of power, both historic and current;
- information about a customer's transactions with us, such as account numbers, account balances and payment history;

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- credit and reference information;
- bank information for pre-authorized payments.

When an individual applies for service, Newmarket - Tay Power Distribution Ltd. will make the individual aware of the purposes for which Newmarket - Tay Power Distribution Ltd. is requesting the personal information. If Newmarket - Tay Power Distribution Ltd. identifies other purposes for which the personal information may be used, Newmarket - Tay Power Distribution Ltd. will seek the individual's consent prior to such use. Newmarket - Tay Power Distribution Ltd. will advise that it is the individual's right to refuse permission for Newmarket - Tay Power Distribution Ltd. to use personal information for any new purposes.

Additional purposes for collecting personal information may be identified to an individual before or at the time of collection. However, at a minimum Newmarket - Tay Power Distribution Ltd. will collect personal information for the following purposes:

- to provide customers with service and to invoice customers for the service;
- to assist the company in collection of accounts;
- to respond to customer inquiries about their use and billing;
- to prevent fraud with respect to both the customer and the company;
- to meet energy sector legal, regulatory and settlement requirements.

### **3. Consent**

Newmarket - Tay Power Distribution Ltd. will obtain consent before or when it collects, uses or discloses personal information about an individual. An individual can provide consent to the collection, use and disclosure of personal information about them expressly or implicitly. Newmarket - Tay Power Distribution Ltd. will collect, use or disclose personal information without an individual's consent only in limited circumstances as permitted by law. Subject to certain legal and contractual restrictions and reasonable notice, an individual can refuse or withdraw their consent to the collection, use or disclosure of personal information about them at any time.

All customers will be informed of what types of personal information have been collected, the purpose for the collection and the procedures available for contacting Newmarket - Tay Power Distribution Ltd. with any inquiries.

### **4. Limiting Collection**

Newmarket - Tay Power Distribution Ltd. limits the amount and type of personal information it collects to that which is necessary for the business of the utility. Any affiliates of Newmarket - Tay Power Distribution Ltd. will be responsible for their own collection, use and disclosure of information. Personal information will be collected using procedures which are fair, transparent and lawful.

### **5. Limiting Use, Disclosure and Retention**

Newmarket - Tay Power Distribution Ltd. will only use the personal information for the purpose for which it was collected as identified in principle #2, unless consent is given by the individual to use or disclose it for another purpose. Newmarket - Tay Power Distribution Ltd. will develop explicit retention periods for closed accounts (zero balance), after which the personal information will be destroyed or made anonymous.

Under certain exceptional circumstances, Newmarket - Tay Power Distribution Ltd. may have a legal duty or right to disclose personal information without the individual's knowledge or consent.

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**6. Accuracy**

In order to ensure the reliable delivery of electric service and the correct billing for such service, all personal information will be kept accurate, complete and up to date.

Individuals may challenge the accuracy and completeness of personal information about them and have it amended, as appropriate.

**7. Safeguards**

In executing its responsibilities with respect to the confidentiality of personal information, Newmarket - Tay Power Distribution Ltd. will employ a number of safeguards, appropriate to the sensitivity of the information, to protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification. Such safeguards will include physical measures, organizational measures and technological measures, for example locked filing cabinets, restricted access to offices, security clearances and limiting access on a “need to know” basis and use of passwords and encryption. Procedures for implementing these measures will be communicated to all employees and third parties to ensure compliance with this principle.

**8. Openness**

Newmarket - Tay Power Distribution Ltd. will make its policies and practices relating to the protection of personal information available to its customers. Newmarket - Tay Power Distribution Ltd. will keep its customers informed of these policies and practices and customers shall be provided access to all related policies and procedures via Newmarket - Tay Power Distribution Ltd.'s web page and bill inserts. The information will be available in a format that is easy to understand.

**9. Individual Access**

Any customer of Newmarket - Tay Power Distribution Ltd. can have access to the personal information about them that Newmarket - Tay Power Distribution Ltd. has in its possession or control. Any customer may request that their personal information be amended for purposes of accuracy and completeness and have it amended where the information is proven to be incorrect.

Customers can make their requests by telephone 905-953-8548, via email [nmhydro@nmhydro.ca](mailto:nmhydro@nmhydro.ca) or in writing 590 Steven Court, Newmarket, Ontario L3Y 6Z2. Response to an individual's request will be made in a timely and efficient manner.

**10. Challenging Compliance**

Any customer of Newmarket - Tay Power Distribution Ltd. may challenge Newmarket - Tay Power Distribution Ltd.'s compliance with this Privacy Policy by contacting Newmarket - Tay Power Distribution Ltd. directly. Newmarket - Tay Power Distribution Ltd. has policies and procedures to receive, investigate and respond to individuals' complaints and questions. If the customer is not satisfied with the way Newmarket - Tay Power Distribution Ltd. has responded to a complaint, the customer can contact the Privacy Commissioner of Canada.

**FOR FURTHER INFORMATION CONTACT OUR PRIVACY OFFICER AT 905-953-8548 OR [NMHYDRO@NMHYDRO.CA](mailto:NMHYDRO@NMHYDRO.CA)**