

BOARD OF DIRECTORS POLICY STATEMENT

Original Date 01 / 13 / 2004
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SUBJECT: Personal Information Protection and Electronic Documents Act
(PIPEDA)

PURPOSE: Whitby Hydro Energy Corporation, Whitby Hydro Electric Corporation and Whitby Hydro Energy Services Corporation are committed to keeping the personal information of its customers accurate, confidential, secure and private. This privacy policy has been designed to inform employees, subcontractors and customers of Whitby Hydro of our commitment and recognition to our obligation to meet the spirit and terms of the federal Personal Information Protection and Electronic Documents Act.

POLICY: This Privacy Policy describes the principles Whitby Hydro will use to protect 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. This Privacy Policy incorporates and expands the 10 principles for the protection of personal information, as devised by the Canadian Standards Association (CSA). This Privacy Code does not apply to information about business customers who carry on business as corporations, partnerships or other forms of association. Whitby Hydro does, however, protect the confidentiality of such information in accordance with the law and our own policies.

REFERENCES: Personal Information Protection and Electronic Documents Act

Prepared by: J.E. Lavelle, P. Eng. President & Chief Executive Officer

Authorizing Signature: _____ Date: _____
C. R. Batten, Chair Whitby Hydro Energy Corporation

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PERSONAL INFORMATION PROTECTION PRINCIPLES

1. Accountability

Whitby Hydro 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. Whitby Hydro will require a comparable level of protection of this information from its third party relations.

Our Privacy Officer, Mr. James Lavelle, President and Chief Executive Officer of Whitby Hydro, has overall responsibility for our protection of personal information and for Whitby Hydro's compliance with this Privacy Policy. A Privacy Office has also been established to assist customers with enquiries or concerns.

2. Identifying Purposes

Personal information that Whitby Hydro collects from customers includes: the customer's name and address and other contact information; the meter number; facts about consumption of power, both historic and current; facts about payment for electric service, including general financial information; credit and reference information, such as date of birth, employment information, drivers license, previous addresses, telephone numbers, e-mail address, medical information to be used in case of emergency power outages, and bank information requested for pre-authorized payments.

When an individual applies for service, Whitby Hydro will make the individual aware of the purposes for which Whitby Hydro is requesting the personal information. If Whitby Hydro identifies other purposes for which the personal information may be used, Whitby Hydro will seek the individual's consent prior to such use. Whitby Hydro will advise that it is the individual's right to refuse permission for Whitby Hydro 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 Whitby Hydro will collect personal information for the following purposes:

- Billing and collection of payments for electric service
- Pre-authorized payment for services
- Priority restoration of electric service to the correct address and meter, as may be required by medical circumstances
- Energy sector legal, regulatory and settlement requirements

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3. **Consent**

Whitby Hydro 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. Whitby Hydro 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 existing customers will be informed of what types of personal information have been collected, the purpose for the collection and the procedures available for contacting Whitby Hydro with any inquiries. All new customers will be provided with an explanation about the collection, use and disclosure of their personal information when requesting service.

4. **Limiting Collection**

Whitby Hydro limits the amount and type of personal information it collects to that which is necessary for the business of the utility. Each affiliate of Whitby Hydro will be responsible for its 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**

Whitby Hydro 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. In accordance with the *Affiliates Relationship Code*, created under the provincial *Electricity Act*, no customer information will be disclosed by one affiliate to another. In other words, no customer personal information will be shared by the distribution company and the energy services company.

Whitby Hydro 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, Whitby Hydro may have a legal duty or right to disclose personal information without the individual's knowledge or consent.

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.

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7. **Safeguards**

In executing its responsibilities with respect to the confidentiality of personal information, Whitby Hydro 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**

Whitby Hydro will make this policy relating to the protection of personal information available to its customers.

9. **Individual Access**

Any customer of Whitby Hydro can have access to the personal information about them that Whitby Hydro has in its possession or control. Any customer may request that their personal information be amended for purposes of accuracy and completeness.

Customers can make their requests to the Privacy Office by telephone 905-668-5878, via email whitbyhydro@whitbyhydro.on.ca or in writing to Whitby Hydro, 100 Taunton Road East, Whitby, Ontario L1N 5R8 Attention: Privacy Office. Response to an individual’s request will be made in a timely and efficient manner.

10. **Challenging Compliance**

Any customer of Whitby Hydro may challenge Whitby Hydro’s compliance with this Privacy Policy by contacting Whitby Hydro directly. Whitby Hydro has policies and procedures to receive, investigate and respond to individuals' complaints and questions. If the customer is not satisfied with the way Whitby Hydro has responded to a complaint, the customer can contact the Privacy Commissioner of Canada.(www.privcom.gc.ca)