

## MOBILE APP PRIVACY POLICY

Electric Power Board of Chattanooga, an independent board of the City of Chattanooga, Tennessee (“EPB”, “us”, “we”, or “our”) respects your privacy and is committed to protecting it through our compliance with this policy. This policy describes the types of information we may collect or that you may provide when you download, install, register with, access, or use EPB Hosted UC and MyEPB (the “App”) and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This policy applies only to information we collect in this App and in email, text, and other electronic communications sent through or in connection with this App. This policy does not apply to information that: (i) we collect offline or through any other means, including any other EPB apps or websites, including websites you may access through this App; or (ii) you provide to or is collected by any third party (see “Third-Party Information Collection”). Our websites and other apps, and these third parties may have their own privacy policies, which you should read before providing information on or through them.

### CONSENT

PLEASE READ THIS POLICY CAREFULLY TO UNDERSTAND OUR POLICIES AND PRACTICES REGARDING YOUR INFORMATION AND HOW WE WILL TREAT IT. IF YOU DO NOT AGREE WITH OUR POLICIES AND PRACTICES, DO NOT DOWNLOAD, REGISTER WITH, OR USE THIS APP. BY DOWNLOADING, REGISTERING WITH, OR USING THIS APP, YOU AGREE TO THIS PRIVACY POLICY AND EPB’S COLLECTION AND SHARING OF YOUR INFORMATION ACCORDING TO THE TERMS OF THIS PRIVACY POLICY. THIS POLICY MAY CHANGE FROM TIME TO TIME (SEE “CHANGES TO THIS PRIVACY POLICY”). YOUR CONTINUED USE OF THIS APP AFTER WE MAKE CHANGES IS DEEMED TO BE ACCEPTANCE OF THOSE CHANGES, SO PLEASE CHECK THE POLICY PERIODICALLY FOR UPDATES.

### CHANGES TO THIS PRIVACY POLICY

EPB reserves the right, in its sole discretion, to update, change, modify, add or remove portions of this privacy

policy from time to time. If we make material changes to how we treat our users’ personal information, we will post the new privacy policy on this page with a notice that the privacy policy has been updated. Any changes to this privacy policy will be in effect as of the “Last Modified” date referenced in this privacy policy. You are expected to, and you acknowledge and agree that it is your responsibility to, carefully review this privacy policy prior to using this App and from time to time so you are aware of any changes.

### CHILDREN UNDER THE AGE OF 13

The App is not intended for children under 13 years of age, and we do not knowingly collect personal information from children under 13. If you are under 13, do not use or provide any information on this App or provide any information about yourself to us, including your name, telephone number, email address or any screen name or user name you may use. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us at [cicweb@epb.net](mailto:cicweb@epb.net).

### INFORMATION WE COLLECT AND HOW WE COLLECT IT

We collect information from and about users of our App directly from you when you provide it to us and automatically when you use the App.

#### Information You Provide to Us

When you download, register with, or use this App, we may ask you to provide information by which you may be personally identified, such as name, postal address, email address, telephone number, or any other identifier by which you may be contacted online or offline (“personal information”). We may also collect information that is about you but individually does not identify you, including, but not limited to:

- Information that you provide by using the App. This includes information provided at the time of registering to use the App, subscribing to our

service, and requesting further services. We may also ask you for information when you report a problem with the App.

- Records and copies of your correspondence (including email addresses and phone numbers) if you contact us.
- Your responses to surveys that we might ask you to complete for research purposes.
- Details of transactions you carry out through the App and of the fulfillment of your requests. You may be required to provide financial information before placing a request through the App.
- Your search queries on the App.

[You may provide information to be published or displayed (“**Posted**”) on public areas of websites you access through the App (collectively, “**User Contributions**”). Your User Contributions are Posted and transmitted to others at your own risk. Although we limit access to certain parts of the App, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of third parties with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons.]

#### Automatic Information Collection and Tracking

When you download, access, and use the App, it may use technology to automatically collect:

- **Usage Details.** When you access and use the App, we may automatically collect certain details of your access to and use of the App, including traffic data, location data, logs, and other communication data and the resources that you access and use on or through the App.
- **Device Information.** We may collect information about your mobile device and internet connection, including the device’s unique device identifier, IP address, operating system, browser type, mobile network information, and the device’s telephone number.
- **Stored Information and Files.** The App also may access metadata and other information associated with other files stored on your device. This may include, for example, photographs, audio and video clips, personal contacts, and address book information.

If you do not want us to collect this information do not download the App or delete it from your device. For more information, see “Your Choices About Our Collection, Use, and Disclosure of Your Information.”

We also may use these technologies to collect information about your activities over time and across third-party websites, apps, or other online services (behavioral tracking). “Do Not Track” is a proposed standard that is currently under development. As it is not yet finalized, we adhere to the standards set out in this privacy policy and **we do not currently respond to “Do Not Track” signals in the App or on third-party websites or online services where we may collect information.** The information we collect automatically is statistical data and does not include personal information, and we do not maintain it or associate it with personal information we collect in other ways or receive from third parties.

#### Information Collection and Tracking Technologies

The technologies we use for automatic information collection may include Google Analytics, cookies (or mobile cookies), web beacons, and other similar technologies. A cookie is a small file placed on your device. It may be possible to refuse to accept mobile cookies by activating the appropriate setting on your device. However, if you select this setting, you may be unable to access certain parts of our App. Pages of the App [and our emails] may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit EPB, for example, to count users who have visited those pages [or opened an email] and for other related app statistics (for example, recording the popularity of certain app content and verifying system and server integrity).

The Google Analytics SDK may receive and store certain types of information whenever you interact with the App. The information collected by Google Analytics is statistical data and does not include personal information, and we do not maintain it. **You may learn more about how Google uses the information it collects by visiting the following site “How Google uses data when you use our partners’ sites or apps” (located at <https://www.google.com/policies/privacy/partners/>) Google’s ability to use and share information collected by Google Analytics about your use of the App is restricted by the Google Privacy Policy**

(located at <https://www.google.com/policies/privacy/>).

### **THIRD-PARTY INFORMATION COLLECTION**

When you use the App or its content, certain third parties may use automatic information collection technologies to collect information about you or your device. These third parties may include:

- Advertisers, ad networks, and ad servers.
- Analytics companies.
- Your mobile device manufacturer.
- Your mobile service provider.

These third parties may use tracking technologies to collect information about you when you use this app. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites, apps, and other online services websites. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see "Your Choices About Our Collection, Use, and Disclosure of Your Information" in this privacy policy.

### **HOW WE USE YOUR INFORMATION**

We use information that we collect about you or that you provide to us, including any personal information, to:

- Provide you with the App and its contents, and any other information, products or services that you request from us.
- Fulfill any other purpose for which you provide it.
- Give you notices about your account, including expiration and renewal notices.
- Carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.

- Notify you when App updates are available, and of changes to any products or services we offer or provide though it.

The usage information we collect helps us to improve our App and to deliver a better and more personalized experience by enabling us to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to customize our App according to your individual interests.
- Speed up your searches.
- Recognize you when you use the App.

### **DISCLOSURE OF YOUR INFORMATION**

We may disclose aggregated information about our users, and information that does not identify any individual or device, without restriction. In addition, we may disclose personal information that we collect or you provide:

- To our subsidiaries and affiliates.
- To contractors, service providers, and other third parties we use to support our business and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of EPB's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by EPB about our App users is among the assets transferred.
- To fulfill the purpose for which you provide it.
- For any other purpose disclosed by us when you provide the information.
- With your consent.
- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- To enforce our rights arising from any contracts entered into between you and us, including the App EULA, and for billing and collection.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of EPB, our customers or others. This includes exchanging information with other

companies and organizations for the purposes of fraud protection and credit risk reduction.

## YOUR CHOICES ABOUT OUR COLLECTION, USE, AND DISCLOSURE OF YOUR INFORMATION

We strive to provide you with choices regarding the personal information you provide to us. This section describes mechanisms we provide for you to control certain uses and disclosures of your information.

- **Disclosure of Your Information for Third-Party Advertising and Marketing.** EPB does not share your personal information with unaffiliated third parties for promotional purposes.
- **Google Analytics.** EPB does use Google Analytics to track App usage and for crash reporting.

We do not control third parties' collection or use of your information to serve interest-based advertising. However these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's [website](#).

## DATA SECURITY

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is stored on our secure servers behind firewalls. Any payment transactions and other information will be encrypted using TLS technology. Your personal information is password protected and restricted within our organization to employees and trusted partners that need access to your personal information in order to correspond with you and provide the products and/or services that you requested from us. The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our App, you are responsible for keeping this password confidential. Do not share your password with anyone.

Unfortunately, the transmission of information via the internet and mobile platforms is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted through our App. Any transmission of personal information is at your own risk.

We are not responsible for circumvention of any privacy settings or security measures we provide.

## LINKED APPS AND WEBSITES

This privacy policy is applicable only to the App and does not apply to any third-party apps or websites. The App may contain links to, and media and other content from, other apps and websites. In addition, such third-party media and content may also contain external links. Because of the dynamic media capabilities of the App, it may not be clear to you which links are embedded in the App and which are embedded in third-party media and/or content. EPB cannot and does not guarantee the privacy policies and practices of any third party. EPB does not control, operate, or endorse any information, products, or services of any third-party apps or websites that may be reached through links from the App. EPB is providing these links only as a convenience to you.

The use of any personal information provided by you to, or automatically collected from, a third party will be governed by that party's privacy policies. If you are unsure whether an app or website is controlled, affiliated, or managed by EPB, you should review the privacy policies at each linked app or website to determine how that site treats your personal information.

## ACCESSING AND CORRECTING YOUR PERSONAL INFORMATION

You can review and change your personal information by logging into the epb.com web portal and visiting your account profile page. If you have any questions about personal information that may be retained by EPB, you may also contact us at [cicweb@epb.net](mailto:cicweb@epb.net). Upon your request, EPB will provide to you the personal information under its control, if any, as well as information about the ways in which that information is being used and disclosed. EPB will use commercially reasonable efforts to ensure that personal information we may be using or disclosing is accurate and complete. If you demonstrate that your information is inaccurate or incomplete, the information will be amended as appropriate. We will use commercially reasonable efforts to respond to any request and update your personal information, if necessary. We cannot delete your personal information except by also deleting your user account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

## **YOUR CALIFORNIA PRIVACY RIGHTS**

California Civil Code Section 1798.83 permits users of our App that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please contact us at [cicweb@epb.net](mailto:cicweb@epb.net). Please note, however, that EPB does not disclose personal information to third parties for their direct marketing purposes.

## **GOVERNING LAW**

This privacy policy and any disputes related thereto shall be governed by and construed in accordance with the laws of the State of Tennessee, exclusive of its choice of law rules.

## **CONTACT INFORMATION**

To ask questions or comment about this privacy policy and EPB's privacy practices, contact us at [cicweb@epb.net](mailto:cicweb@epb.net).