

Privacy Policy

1. INTRODUCTION

Horizon Utilities Corporation (“Horizon”) is one of the largest municipally-owned electricity distribution companies in Ontario. It provides electricity and related utility services to residential and commercial customers in the cities of Hamilton and St. Catharines. For the proper administration of its business activities, Horizon collects, uses and discloses Personal Information (as defined below). These functions are authorized under section 142 of the Electricity Act (Ontario) and section 3(2) of the Business Corporations Act (Ontario).

In the course of its business, Horizon is subject to the Municipal Freedom of Information and Protection of Privacy Act (“MFIPPA”). As a company, it is committed to protecting information about identifiable individuals who are either its customers or its employees. Horizon uses this “Personal Information” to provide its services, manage its human resources and otherwise operate its business.

This Privacy Policy will be reviewed periodically and updated as required to reflect changes to Horizon’s operations and/or the privacy laws that apply to Horizon (“Applicable Law”). Customers are encouraged to review the Policy from time-to-time for revisions. The date of the last revision appears at the top of this document.

Customers who receive products and services from Horizon will be deemed to have accepted the terms and conditions of this policy.

2. DEFINITIONS

In this policy, the bolded terms listed below have the meanings that directly follow the terms.

Collection: The act of gathering, acquiring, recording or obtaining Personal Information from any source, including third-parties, by any means.

Consent: The act of voluntarily agreeing to the collection, use and disclosure of Personal Information for defined purposes. Consent can be either express or implied and can be provided directly by the individual or by someone authorized to provide consent on behalf of the individual. Express consent may be given orally, electronically or in writing and does not require any inference on the part of Horizon. Implied consent may be reasonably inferred from an individual’s action or inaction by Horizon.

Customer: An individual who uses, or applies to use the services of Horizon.

Disclosure: The act of making Personal Information available to a third-party.

Employee: A regular employee, contract employee or pensioner of Horizon.

Personal Information – Customer: Personal Information about a customer, including E-mail addresses, a customer’s credit information, billing and consumption records, utility service connection and equipment, property location and attributes, and any recorded complaints.

Personal Information – Employee: Personal Information about an employee, including that found in an employee’s personal employment files, performance appraisals and medical and benefits information.

Third-Party: – An individual other than the customer or his/her agent, the employee or his/her agent and an organization other than Horizon.

Use: The treatment, handling, and management of Personal Information, including the de-identification of Personal Information.

3. POLICY

Privacy Officer

Horizon has designated a corporate Privacy Officer to oversee its compliance with this Privacy Policy and Applicable Law. The Privacy Officer may be contacted at:

Mail: Horizon Utilities Corporation
Privacy Officer
55 John Street North
Hamilton, Ontario
L8R 3M8

Email: privacyofficer@horizonutilities.com

Telephone: 1-866-458-1236

Employees are directed in this Privacy Policy to contact their supervisor or the Human Resources Department for some information or assistance in connection with their Personal Information.

Notice of Purposes: Collection, Use and Disclosure of Personal Information

Horizon collects and uses Personal Information for the following purposes:

- a) Establish and maintain responsible commercial relations with customers, including providing services, assessing eligibility for credit, billing for services, sending notices about services, responding to inquiries and otherwise providing customer service;
- b) Establish, manage or terminate an employment relationship between Horizon and an individual;
- c) Provide for effective utility management and ongoing service for customers, including system planning, conservation planning, programs and initiatives;
- d) Meet legal and regulatory requirements, as otherwise permitted by Applicable Law, including purposes consistent with those for which the information was obtained.

Horizon may give notice of other purposes for the collection and use of Personal Information. In connection with particular services, for example, this would be through materials other than this Privacy Policy such as application forms and agreements. Individuals are invited to ask Horizon for an explanation of the purposes Horizon has identified for the use of Personal Information. Individual should ask their questions of the Privacy Officer or the person they are speaking with at Horizon.

Unless permitted or required by law, Horizon shall not use Personal Information for any new purpose without first obtaining consent.

Horizon may collect Personal Information from sources other than the individual to which it relates. This includes credit bureaus, employers and former employers, personal references or other third-parties that represent that they have the right to disclose the information. This also includes situations where Horizon has obtained the individual's consent. Where permitted by law, Horizon may indirectly collect Personal Information without the consent of the individual to whom it relates. This includes, for example, where the information is collected for the purpose of a proceeding, such as before a court or tribunal or for the purpose of law enforcement.

Horizon may disclose a Customer's Personal Information:

- a) To its employees, agents or consultants who require the information in the performance of their duties for Horizon;
- b) To an agent retained by Horizon in connection with the collection of the Customer's account or otherwise to collect a debt;
- c) To credit grantors and reporting agencies;
- d) To a person who, in the reasonable judgment of Horizon, is seeking the information as an agent of the customer;
- e) To persons as permitted or required by Applicable Law, including, for example, compelling circumstances affecting the health or safety of an individual or compassionate circumstances to facilitate contact with a relative or friend of an injured or ill individual or for insurance purposes; and
- f) For purposes consistent with those for which the information was obtained.

Horizon may disclose an Employee's Personal Information:

- a) For payroll, benefits and other employment-related administration;
- b) To provide references regarding current or former employees in response to requests from prospective employers;
- c) Where required in connection with a proposal or application for a program or grant;
- d) Where the disclosure is permitted or required by Applicable Law including for purposes consistent with those for which the information was obtained.

Horizon may disclose Personal Information to external (third-party) consultants and service providers ("Service Providers"), including legal counsel or insurance providers. These Service Providers include, for example, legal and information technology services, which require the information to provide their services to Horizon. By contract, Horizon requires Service Providers to protect Personal Information to the same degree as Horizon protects the information.

Horizon may disclose Personal Information in connection with business reorganization transactions.

This includes, for example, contemplated or actual reorganization of its business, seeking financing, the assignment, sale or other transaction involving the disposal of all or part of its business or assets. Moreover, these purposes include permitting the parties considering such a transaction to conduct the due diligence required to determine whether to proceed, and to obtain insurance or to make a claim under an insurance policy.

Consent

In general, the use of services by a Customer, or the acceptance of employment or benefits by an Employee, constitutes implied consent for Horizon to collect, use and disclose Personal Information for the purpose of providing the services or administering the employment relationship.

A customer or employee may withdraw consent to the continued use of his or her Personal Information on reasonable notice. In the case of an employee, a request to withdraw the continued use of Personal Information may not be accepted in circumstances where the information was permitted to be released or used as part of his or her employment terms. This is, however, subject to any legal requirements for Horizon to continue to use the information. Customers and employees are invited to discuss the implications of withdrawing consent to any particular use or disclosure of their Personal Information with Horizon. Customer inquiries should be directed to the Privacy Officer. Employee inquiries should be directed to Horizon's Human Resources Department, which will, in turn, involve the Privacy Officer.

Security of Personal Information

Horizon limits access to Personal Information to those of its employees and agents who require the information to perform their duties.

Where Personal Information has been used to make a decision about a customer or employee, Horizon will retain the information for a period of at least one year, unless otherwise agreed to with the customer or employee.

Horizon will maintain reasonable systematic controls, schedules and practices for records retention and destruction. Personal Information that is no longer necessary or relevant for the identified purposes or required by Applicable Law to be retained will be destroyed, erased or made anonymous in compliance with regulatory requirements.

Horizon employs a number of different security safeguards to protect Personal Information against risks. These risks include, for example, loss, theft, unauthorized access, disclosure, copying, use, modification or destruction. The security safeguards include, for example, technological ones such as firewalls and passwords, physical ones such as controlled access to its facilities, and administrative ones such as enforcing compliance with this Privacy Policy.

Horizon requires all of its employees and agents who have access to Personal Information (including Personal Information of other employees), as a condition of their employment, to treat

Personal Information in accordance with this Privacy Policy and provides its employees with training about Personal Information management.

Access to One's Own Personal Information

Upon written request, Horizon will provide a customer or employee a reasonable opportunity to review his or her own Personal Information, except in limited circumstances set out in Applicable Law. Horizon will provide notice if there will be a fee for accessing Personal Information and, as a security measure, may require identification before providing access.

Horizon will correct or complete a record of Personal Information (unless it believes that the information is accurate or complete) and will record any unresolved differences as to accuracy or completeness in the individual's file.

An employee can obtain information or seek access to his or her Personal Information by contacting his or her immediate supervisor within Horizon, but may also contact the Human Resources Department.

Challenging Compliance

A customer or employee may challenge Horizon's compliance with this Privacy Policy by contacting the Privacy Officer.

Horizon will investigate all complaints concerning compliance with the Privacy Policy. If a complaint is found to be justified, Horizon will take appropriate measures including, if necessary, changing its practices.

Revised November 20, 2013