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### 1. Purpose

El Paso Electric Company (“**EPE**”) is committed to protecting and respecting your privacy and ensuring that your personal information is processed fairly and lawfully in line with all relevant privacy legislation.

The purpose of this Privacy Policy is to set out the principles governing our use of personal information that we may obtain about you through this website (the “**Site**”), over the phone, through email or other means and in connection with the provision of our services (the “**Electric Service**” or “**Services**”). By using this Site or our Services, you agree to our use of the personal information that we obtain about you.

Please read this Privacy Policy carefully. We may change our Privacy Policy from time to time. We therefore ask you to check it occasionally to ensure that you are aware of the most recent version that will apply each time you access this Site. **BY USING THIS SITE, YOU AGREE TO THIS PRIVACY POLICY. IF YOU DO NOT AGREE TO THIS PRIVACY POLICY, DO NOT USE THIS SITE.**

For your convenience, this Site may contain links to other websites. The privacy policies and procedures described here do not apply to those sites; we suggest contacting those sites directly for information on their data collection and distribution policies. Any reference to a linked site or any specific third-party product or service by name does not constitute or imply its endorsement by us, and you assume all risk with respect to its use.

## 2. Your Data

We may collect, use, store, and transfer the following information to provide, improve, and protect our Site and our Services.

*The data we collect and process.* You may give us personal information by visiting or interacting with the Site, filling in forms on the Site, interacting with our Services, or by corresponding with us by phone, e-mail, or otherwise. This personal information includes the following data which are referred to in this Privacy Policy as “Your Data”:

- Personal Information you provide when you interact with the Site or in connection with our provision of Services. The personal information you give us may include your name, title, company, mailing address, service address, email addresses, responsible parties (for insurance re-enrollment, etc.), social security number, name of financially responsible parties, bank information, certain financial information, phone numbers, medical information, password, resume and application information, driver’s license number, feedback and any other information you choose to provide to us;
- Technical Data such as your internet protocol (IP) address, your login data, the web page you visited before visiting our Site, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our Site;
- Usage Data which tells us how you use our Site; and
- Marketing and Communication Data which tells us your preference in receiving marketing from us and third parties and your communication preferences.

## 3. Purposes for which we will use your data

We will only use Your Data when the law allows us to. The ways we may use Your Data include:

- *Electric Service.* To identify you and any financially responsible parties on your account authorized to manage your account.

- *Services.* We use Your Data to offer billing programs, to provide payment options, and to help you manage your energy usage. We collect information in order to improve our Services and our Site.
- *Usage.* We also use Your Data, especially usage data and technical data, including the actions you take in your account (such as Site visits, page interaction information, and search history), to evaluate and improve our Site and our Services. If you are an EPE vendor, we will use Your Data to manage our engagement.
- *Cookies and other technologies.* We may use technologies like cookies to provide, improve, protect, and promote our Site and our Services. EPE currently does not respond to Do Not Track requests.
- *Marketing.* We also use Your Data to provide you with information about goods or services we feel may interest you. If you do not want us to use Your Data in this way, select the 'unsubscribe' link in any e-mail communication from us. If you are a current or potential vendor, we will use Your Data to notify you as to certain opportunities or requirements we may have in the conduct of our business.
- *Relationship.* We will also use Your Data to manage our relationship with you which will include notifying you about changes in our Privacy Policy.
- *Sale.* We may transfer Your Data in the event of a sale of the Company or portions of its Services or operations.
- *Personnel:* If you are one of our employees or directors, we may use Your Data to assist with the administration of certain benefit plans and for HR purposes. If you are one of our contractors or vendors, we may use Your Data to approve access requests and for other security purposes.

#### **4. Sharing your data**

EPE will not sell Your Data to advertisers or other third parties, but it may share that information with others working for EPE and as required by law. EPE uses trusted third parties for information technology services, analytics, and other services to help us provide, improve, protect, and promote our Site and our Services. These third parties may access Your Data only to perform tasks on our behalf in compliance with this Privacy Policy.

*Other applications and third-party links.* The Site may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy policies. When you leave our Site, we encourage you to read the privacy policies of every

website you visit. Please remember that their use of Your Data will be governed by their privacy policies and terms.

*Legal Requirements.* The Company may release Your Data if required by law; to protect your interests; for investigations by law enforcement or regulatory authorities; to protect and defend the property and legal rights of the Company; and to enhance the safety of users of the Company's services.

## 5. Protecting your data

We only process Your Data in accordance with the law.

We retain Your Data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for Your Data, we consider the amount, nature, and sensitivity of Your Data, the potential risk of harm from unauthorized use or disclosure of Your Data, the purposes for which we collect and process Your Data, and whether we can achieve those purposes through other lawful means.

We have implemented measures and procedures to protect Your Data, including the use of cybersecurity and limiting the amount of data we collect and keep.

## 6. Children under 16

EPE cares about protecting the privacy of children. We will not specifically market our Services to children or knowingly collect personal information from children under 16. If we learn that the personal information we receive is the information of a child under 16, we will take reasonable steps to afford the appropriate data privacy rights. If you are under 16, please do not register for our Services or provide us any information about yourself.

## 7. Your rights – California residents

*Accessing Account Information.* We will provide you with the means to confirm that Your Data is correct and current. You may review this information by contacting us by sending an email to [customercare@epelectric.com](mailto:customercare@epelectric.com).

*A Record of Data Transfer.* You may request and receive, once a year and free of charge, information about third parties to whom we have disclosed certain types of personal information (if any) about you for their direct marketing purposes in the prior calendar year, and a description of the categories of personal information shared. To make such a request, please send an email to

customer@epelectric.com and please include the phrase "Personal Information Privacy Request" in the subject line, the domain name of the website you are inquiring about, along with your name, address and email address. At our option, we may respond to such requests by providing instructions about how our users can exercise their options to prevent our disclosure of personal information to third parties for their direct marketing purposes.

*California Online Privacy Protection Act.* As required by the California Online Privacy Protection Act ("**California Act**") and the California Business and Professions Code, this Privacy Policy identifies the categories of personally identifiable information (as that term is defined above and in the California Act) that we collect through our Site about individual consumers who use or visit our Site and the categories of third-party persons or entities with whom such personally identifiable information may be shared. See more about the California Act at <http://consumercal.org/california-online-privacy-protection-act-caloppa/#sthash.0FdRbT51.dpuf>.

*California Consumer Privacy Act of 2018 (CCPA).* California users have the right to request, twice a year and free of charge, certain information about parties to whom we have disclosed Your Data in the prior calendar year and a description of the categories of personal information shared. Additionally, upon request, twice a year and free of charge, we shall provide to you any information relating to Your Data and our processing of Your Data in a concise, transparent, intelligible, and easily accessible form using clear and plain language. To make such a request, please send an email to customer@epelectric.com and please include the phrase "Personal Information Privacy Request" in the subject line, the domain name of the website you are inquiring about, along with your name, address and email address. You also may contact us by phone at 1-800-351-1621 or by writing to Customer Care, El Paso Electric Company, 100 N. Stanton, El Paso, TX 79901. You can also ask us to delete Your Data stored on our platform. If we receive a request to delete Your Data, we will ask you if you want Your Data to be removed entirely or if you want to be kept on a list of individuals who do not want to be contacted in the future (for a specified period or otherwise). We do not keep a record of individuals whose personal information we have deleted so you may be contacted again by us, should we come into possession of your personal information at a later date. Before we delete Your Data, EPE may require payment of all outstanding charges and cancellation of Services. If you exercise your rights under the CCPA, EPE will not discriminate against you. Requests for disclosure or deletion under this section will be honored within 45 days after their receipt and authenticity has been determined; if more time is needed to respond, EPE will

notify you. You may use an authorized agent to make a request on your behalf if you contact EPE at 1-800-351-1621 or [customercare@epelectric.com](mailto:customercare@epelectric.com) to verify your agent's authority. EPE has a teletype/telecommunications device (TTY) to serve our hearing or speech impaired customers. To use this service, you must also have access to a TTY unit. To reach an EPE representative who is trained to use the TTY equipment, call (915) 543-5984 in Texas or (575) 523-3516 in New Mexico. You may also contact the Commission at Relay Texas 711 or toll-free at 1-800-735-2989.

EPE has collected, will collect and has disclosed the personal information described in the categories below during the last year for business purposes; however, EPE does not sell Your Data.

Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, and Social Security number, or other similar identifiers.
Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.
Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).
Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.
Geolocation data.	Physical location or movements.
Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.
Professional or employment-related information.	Current or past job history or performance evaluations.
Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99))	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student Identification codes, student financial information, or student disciplinary records.
Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

## 8. Other jurisdiction

EPE makes no representation that materials on this Site are appropriate or available for use in all locations, and access to the Site from territories where the materials on the Site are illegal is prohibited. Those who choose to access the Site do so on their own initiative and are responsible for compliance with applicable laws in their respective jurisdictions.

In addition, data obtained through the short code program will not be shared with any third-parties for their marketing reasons/purposes.

## 9. Contact

For questions please contact us at [customercare@epelectric.com](mailto:customercare@epelectric.com).

## 10. Revision and Approval History

Revision History			Approvers	
Effective Date	Revision Number	Description of Change	Owner	Executive Sponsor
06/09/2020	1.0	New Policy	Office of the General Counsel	Rocky R. Miracle, Senior Vice President, Corporate Development and Chief Compliance Officer
10/18/2021	1.1	Sentence added to Item No. 8 that reads: In addition, data obtained through the short code program will not be shared with any third-parties for their marketing reasons/purposes.	Office of the General Counsel	Cynthia Henry, Vice President, General Counsel