

Last Updated: February 07, 2022

I. What does this Privacy Notice cover

This Privacy Notice sets out what personal information we collect, for what purposes and your rights in this respect.

This Privacy Notice provides you with information on the processing of your personal information by Northeastern Power and Gas LLC and our affiliates, whether as:

- a customer of our products or services
- a visitor to our website(s) (including <https://nepower.com>), or
- a business customer, supplier, business partner, stakeholder and/or investor

We are committed to protecting the privacy and security of your personal information. This Privacy Notice explains, amongst other things, what personal information we process, for which purposes we process your personal information, with whom we share your personal information, for how long we hold your personal information for, how to access and update your personal information and where to go for further information or to lodge a complaint.

If you would like to receive this Privacy Notice in an alternative format (for example, in larger print) or if you have any questions about our processing of your personal information which are not answered by this Privacy Notice, please contact us at support@nepower.com or call us at (888) 941-4711.

We do not sell your information

We will not sell or otherwise provide your personal information to third parties for their commercial purposes. Our employees and any third-party service providers utilized by us are contractually obligated to protect the privacy and confidentiality of your personal information.

II. Special Notice - Children's personal information

We do not knowingly collect, maintain, use or process personal information from individuals under the age of 13 and no part of our websites or services are directed to children. If you are under 13 years old please do not send us your personal information; for example, your name, address and email address. If you wish to contact us in a way which requires you to submit your personal information (such as for education or innovation events) you must get your parent or guardian to do so on your behalf.

If you are aware of or know that a child the age of 13 has provided us with personal information in violation of this Privacy Notice, then you may alert us at support@nepower.com

III. Who is responsible for any personal information collected

Northeastern Power and Gas LLC will be responsible for processing your personal information, either solely or jointly with our affiliates within the Shell group of companies.

IV. What personal information do we process

The categories of personal information we process.

We collect personal information about you as a customer or visitor to our websites. This may include:

Personal information that you provide to us: in using or purchasing our services, products or websites, you may provide us with personal information, including without limitation:

- Contact and identification information, such as name, address, telephone number, date of birth, e-mail address, utility account information and social security number, and other identification information
- Account credentials, such as username and password, that you use to log in to your existing utility provider. We may do so by presenting you with a log-in interface like your existing utility provider's interface. We use those credentials to, among other things, collect your historical energy usage and billing information from your utility provider's system, to collect usage information going forward, and to pay your utility provider on your behalf
- When you choose to make a payment to us through our services, your payment-related information, such as credit card or other financial information, is collected and stored by our third-party payment processor on our behalf
- Customer relationship information, such as customer service requests, inquiries, and complaints including information necessary to try to resolve the aforementioned
- Additional information as otherwise described to you at the point of collection or pursuant to your consent
- If you decide that you wish to apply for a job with us, you may submit your contact information and your resume online. We will collect the information you choose to provide on your resume, such as your education and employment

experience. You may also apply through LinkedIn. If you do so, we will collect the information you make available to us on LinkedIn.

Personal information we may automatically collect about you: our services and websites may automatically collect certain personal information about you. This personal information may be used to help us design our services and websites to better suit your needs. This personal information may include any of the following:

- Billing, credit, and/or payment history, employment and income information
- Historical, current and ongoing electricity usage
- IP address(es) and related, inferred general location information, electronic device information and any web browsers, search engines, operating systems, domain servers or platforms you use
- Online identifiers to enable 'cookies' and similar technologies
- Log-in information, including but not limited to, date and time of your visit or use of our services

Personal information that we obtain through your use of our services: we will also collect personal information about your use of our services and products, as well as third-party applications, programs and / or devices that you connect to our services. These devices may include smart lightbulbs, such as those made by Sengled, smart thermostats, such as those made by Ecobee and Nest, smart cameras, smart locks, and smart doorbells. When you choose to integrate a device with our services, the device will provide us with access to some or all of your personal information on that device, such as the device name or identifier, meter readings, energy consumption data and history, electronic device information, IP addresses, log information, browser type and preferences, general location information, device usage information and usage history, photos and/or videos captured by the device, device state, user controls and actions, weather, and temperature settings.

We use this personal information to operate, maintain, and provide to you the features and functionality of our services and products, including tracking your energy usage to provide smarter energy consumption by building a profile of your routines and preferences so that we may provide you with recommendations on decreasing or shifting your energy consumption and using your devices more efficiently. We may also use this personal information for our internal analytics and research purposes, such as improving our forecasting models for electricity usage and operating and improving our services and products. You should review information from the devices, including their privacy policies and terms of use, prior to using them or allowing them access to any of your personal information.

These devices are not sold, designed or manufactured by Northeastern Power and Gas LLC or our affiliates, and we do not warrant and are not responsible for the quality, use or operation of these third-party devices. Your use of these devices is governed by separate terms of use and privacy policies by the third-party device providers

Personal information we receive from third parties:

- With your consent, we may ask your utility provider to release certain personal information that we need to provide services to you, such as your address, phone number, account number, future and historical energy consumption, meter readings, payment history, billing determinates, rate classifications, and peak electricity demand
- With your consent, we may also change your utility provider account settings to send your customer communications directly to us so that we may manage payment and other account matters on your behalf and display the communications to you in your Northeastern Power and Gas LLC account interface
- We collect personal information from private and governmental third-party data sources, such as the United States Environmental Protection Agency, real estate listings, and city property databases. This information may relate to your city or community generally, or to your property specifically
- We may receive personal information from third-party accounts that you choose to connect to our services, such as if you use a third-party log-in or authentication services, such as Facebook or Google
- We may receive personal information that you choose to upload on our social media sites, such as if you post comments or otherwise share content on our Facebook, Twitter, Instagram or other social media accounts

Personal information in relation to individuals who are, or who work for or on behalf of, our Shareholders, Business Customers, Suppliers, and Partners:

- Private contact information (such as name, postal or e-mail address, and phone number) only if necessary; and/or
- Business contact and other information (such as job title, department, name of organization and your dealings with Shell on behalf of yourself or the relevant Business Customer, Supplier, Business Partner).

V. What is the lawful basis for processing your personal information

The personal information covered by this Privacy Notice is only processed:

- With your explicit consent
- Where it is necessary to carry out and/or conclude transactions, requests, and/or contractual obligations with you
- Where it is necessary to comply with a legal or regulatory obligation which we are subject to
- Where it is necessary for the purpose of legitimate interests pursued by us, except where such interests are overridden by the interests or rights of individuals
- Where it is necessary for the legitimate interests, such as for marketing and promotional purposes, for providing offers tailored to your preferences, for detecting and investigating fraud, and/or responding to security threats

Where the processing is based on consent, you have the right to withdraw your consent at any time. This will not affect the validity of the processing prior to the withdrawal of consent.

VI. For what purposes do we process your personal information

We only process your personal information where we have a lawful basis and purpose to do so.

We process your personal information for the purposes of:

- Providing (a quotation for) our products
- Providing, maintaining, improving and enhancing our services
- Managing relationships and marketing, such as maintaining and promoting contact with existing and prospective customers;
- Account management including account verification (that is, ensuring that only you or someone you have authorized can access your account and information), managing the forecasting and calculation of consumption data and assessing the financial vulnerability of our customers, so that we can ensure you are on the best plan for your individual circumstances
- Customer service and development of our products and services
- Performing and analyzing market surveys and marketing strategies
- Offering promotions and contests to customers, including the offering of rewards;
- Personalizing your experience on our services, such as by providing tailored content and recommendations;
- Facilitating transactions and payments;
- Organization and management of the business including financial management, asset management, mergers, demergers, acquisitions and divestitures,

implementation of controls, management reporting, analysis, internal audit and investigations.

We may also process your personal information for a secondary purpose where it is closely related, such as:

- Health, safety and security including protection of an individual's life or health, occupational health and safety, protection of Shell companies and staff, and authentication of individual status and access rights;
- Storing, deleting, deidentifying, or anonymizing your personal information;
- Fraud prevention and detection, audits, investigations, dispute resolution or insurance purposes, litigation, or defense of claims;
- Statistical, historical, or scientific research purposes;
- Legal and/or regulatory compliance to which the relevant Shell company/companies are subject to;
- For (the preparation of a) merger, acquisition or change in the control of Northeastern Power and Gas LLC Energy Holdings, LLC or our affiliates, including the Shell group of companies

Communication and Marketing

When you opt-in to receive SMS messages from us, we will send you an SMS message to confirm your sign-up for Northeastern Power and Gas LLC notifications. By opting into any Northeastern Power and Gas LLC text program, you expressly consent to receive text messages that may be sent using an automatic telephone dialing system, by or on behalf of Northeastern Power and Gas LLC and our affiliates, at the phone number you provide. Consent to receive texts is not a condition of purchasing any products or services.

You can cancel the SMS service at any time by texting "STOP". We will send you an SMS message to confirm that you have been unsubscribed. After this message, you will no longer receive SMS messages from us. If you want to start receiving SMS messages again, reply "START" to any of our messages or contact our Member Experience Team at support@nepower.com or call us on (888) 941-4711 to be resubscribed.

Screening

In addition, in order to comply with legal and regulatory obligations, to protect our assets and employees/contractors and specifically to ensure that we can comply with trade control, anti-money laundering and/or bribery and corruption laws and other regulatory requirements, we carry out screening (pre-contract and on a periodic basis post-contract) on owners, shareholders and directors of our business customers,

suppliers and business partners. This screening takes place against publicly available, or government issued sanctions lists and media sources.

The screening does not involve profiling or automated decision making in relation to the counterparties or potential counterparties.

VI. What are the consequences of not providing your personal information

Personal information gathered by us for these processes either directly or indirectly is required in order to:

- Fulfil legal requirements and/or which is required for entering a contract with a counterparty and continuing to contract with that counterparty
- Maintain contact with business customers, suppliers and business partners and visitors to our website

Failure to provide us with the information required will negatively affect our ability to communicate with you, or our ability to enter a contract with a counterparty or continuing to contract with a counterparty.

VII. Who will we share your personal information with

Your personal information may be shared with:

- Any company that is a member of our group of companies where necessary for internal administrative purposes, corporate strategy, auditing and monitoring, sanctions screening and research and development
- Our group companies where they provide products and services to us that help us to provide products and services to you as our customer
- Our group of companies to offer you promotions or to inform you about related products and/or services. This is based on your marketing consent preferences and in all cases any marketing material will be sent to you by us only
- Our authorized third party agents, clean energy providers or brokers that we use to supplement our own clean energy service
- If you sign up for one of our joint promotions, our joint promotion partners to promote our and the joint partner's services, offers, contest, or other promotions to our customer
- If you connect a third-party application, program or device to our services
- a competent public authority, government, regulatory or fiscal agency where it is necessary to comply with a legal or regulatory obligation to which we are subject to or as permitted by applicable local law

- Our services allow you to, upon your direction, share information with social networking services, such as Twitter, Facebook and Instagram. You understand and agree that the use of your information by any social networking websites will be governed by the privacy policies of these third party platforms and your settings on that platform. We encourage you to review their privacy policies

VIII. Transfers of your personal information to other countries

Your personal information may be transferred outside of your country, subject to appropriate safeguards.

Where your personal information is transferred to companies within Northeastern Power and Gas LLC's network to authorized third party agents service providers and/or subcontractors who may be located in or outside of your location we take organizational, contractual and legal measures to ensure that the personal information is processed for the purposes mentioned above and that adequate levels of protection have been implemented in order to safeguard the personal information.

IX. Security of your personal information

We are committed to safeguarding your personal information.

We have implemented technology and policies with the objective of protecting your privacy and personal information from unauthorized access and improper use. In particular, we may use encryption for some of our services, we apply authentication and verification processes for access to our services and we regularly test, assess and evaluate the effectiveness of our security measures. However, as no electronic transmission or storage of information can be entirely secure, we can make no guarantees as to the security or privacy of your personal information.

X. How long do we hold your personal information for

We hold your personal information for a limited period.

We take measures to only store your personal information for as long as is necessary to fulfil the purposes outlined in this Privacy Notice or for as long as we reasonably consider necessary to establish, exercise or defend our legal rights. Your personal information will be retained in line with statutory and regulatory requirements. When determining the specific retention period, we consider various factors, such as the type of service provided to you, the nature and length of our relationship with you, and mandatory retention periods provided by law and the statute of limitations.

In all cases personal information may be held for a) a longer period of time where there is a legal or regulatory reason to do so (in which case it will be deleted once no longer required for the legal or regulatory purpose) or b) a shorter period where the individual objects to the processing of their personal information and there is no longer a legitimate purpose to retain it.

XI. Your rights in relation to your personal information

Your rights and how to exercise them.

We aim to keep our information as accurate as possible. You can request:

- Access to your personal information that we maintain about you
- Correction or deletion of your personal information (but only where it is no longer required for a legitimate business purpose such as completing a retail transaction)
- That you no longer receive marketing communications
- That the processing of your personal information be restricted
- That the combining of your personal information from different sources to create a personal profile no longer takes place
- That you receive personal information that you have provided to us, in a structured, digital form to be transmitted to another party, if this is technically feasible
- In those cases where processing is based on consent, and subject to applicable local law which provides otherwise, to withdraw your consent at any time. We will apply your preferences going forward and this will not affect the validity of the processing prior to the withdrawal of consent
- To lodge a complaint as set out in "Who to contact if you have a query, concern or complaint about your personal information"

To make a verifiable rights requests please email us at support@nepower.com or call (888) 941-4711

The verifiable request must:

- provide sufficient information for us to be able to verify you are the person whose personal information we hold or are an authorized agent of that person and that the authorized agent is authorized to make the request on your behalf; and
- describe your request in enough detail so that we can properly locate the personal information the request relates to.

We cannot respond to your request unless we can verify your identity or if you are an authorized agent, your authority to make the request on behalf of the consumer. We will aim to verify your identity based on personal information we already hold about you. If we need to request further information from you in order to verify your identity, we will only use that personal information for the purposes of identifying you or that you have authorized the request.

Note that there are exceptions and limitations to each of these rights, and that while any changes you make will be reflected in active user databases instantly or within a reasonable period of time, we may retain personal information for backups, archiving, prevention of fraud and abuse, analytics, satisfaction of legal obligations, or where we otherwise reasonably believe that we have a legitimate reason to do so, such as completing a transaction for which the personal information was collected or to comply with a legal obligation such as financial reporting. However, the personal information will be deleted once no longer needed for that purpose in line with the time periods set out above.

XII. Who to contact if you have a query, concern or complaint about your personal information

If you have any issues, queries or complaints regarding the processing of your personal information, please contact us at: support@nepower.com or call (888) 941-4711.

You also have the right to lodge a complaint to your local data privacy authority/regulator.

XIII. Changes to this Privacy Notice

This Privacy Notice may be updated over time.

This Privacy Notice may change over time and you are advised to regularly review this Privacy Notice for possible changes. This Privacy Notice was last updated on February 7, 2022