

## Symmetry Energy Solutions, LLC Online Privacy Policy

**Last Revised:** August 20, 2020

### **Purpose and Scope:**

Symmetry Energy Solutions, LLC and its various affiliates and subsidiaries (collectively, “**Symmetry**,” “**we**” or “**us**”) respect your privacy, and we are committed to protecting it through our compliance with this policy (this “**Privacy Policy**”). This Privacy Policy describes the types of information we may collect from or about you, including when you visit the websites [symmetryenergy.com](http://symmetryenergy.com), [www.symmetryenergy.com/portal](http://www.symmetryenergy.com/portal), or [www.symmetryenergy.com/choice](http://www.symmetryenergy.com/choice) (together, the “**Website**”) and how we use, maintain protect, and disclose that information.

This Privacy Policy applies to information we collect, use, share, maintain, and otherwise process in connection with:

- your use of this Website and online service locations and any other sites where this Privacy Policy is posted;
- email, web forms, and other electronic messages between you and Symmetry; and
- your interactions with our advertising and applications on third-party websites and services, if those applications or advertising include links to this Privacy Policy.

Together, we refer to these activities as the “**Services**.”

This Privacy Policy applies only to the information collected in connection with the Services. This Privacy Policy also lets you know about the privacy choices you have and how you can manage them to get the most from your relationship with us. By accessing our Website and using the Services, you agree to this Privacy Policy.

Symmetry Energy operates in many states. Each state has different laws and regulations governing how we collect, use and share personal information. This Privacy Policy generally describes Symmetry Energy's processes related to personal information. It also contains information or links to information specifically required by certain states, which may or may not be applicable to you depending upon your state of residency. Some examples provided below may or may not be applicable in your state.

### **The Information We Collect And Why**

#### **Information You Provide To Us**

We may collect personal information about you (your name and e-mail address) if you use our website to send questions and comments to Symmetry Energy, request information from Symmetry Energy, sign up for automatic invoice delivery or otherwise communicate with us. In certain instances, we also may ask you to provide us with your work or home address, phone and facsimile numbers, and the name of your organization and your title at that organization.

- When you set up your account or interact with us regarding your account we may collect personal information from or about you or your devices, as follows: contact information that allows us to communicate with you, including your name, address, telephone number, and email address
- Usage data
- User name or ID and password when you create or access your Symmetry account or an affiliated online account;
- Your Symmetry account number and meter number; and
- Other information that allows for customer service interactions with you.

The information we collect may include Personal Information. “**Personal Information**” is information that identifies, relates to, describes, references, is capable of being associated with or could reasonably be linked, directly or indirectly, with you or your device, as well as information we collect about the services you use, content you view on our Website and any details you submit. You may choose to voluntarily submit certain other information to us through the Service, including Personal Information, but you are solely responsible for your own Personal Information in instances where we have not collected such information or requested that you submit such information to us.

Personal Information once “de-identified” will not be subject to this Privacy Policy, and we and our Service Providers (defined below) may treat it as non-Personal Information and use it without obligation to you except as prohibited by applicable law.

### **Information We Collect Automatically**

We and our Service Providers may automatically collect certain information from or about you or your devices when you access or use our Service (“**Automatically Collected Information**”). Automatically Collected Information may include your IP address, device identifier, Ad ID, browser type, operating system characteristics, data regarding network connected hardware (e.g., computer or mobile device), and information about your use of our Service, such as the time and duration of your visit and how you arrived at our Service.

### **The Methods That We And Our Service Providers May Use To Collect**

Automatically Collected Information include:

- **Log Information:** We collect information about your use of our Service, such as IP address, browser type, Internet service provider, referring/exit pages, operating system, date/time stamps, and related data, and store it in log files.
- **Information Collected by Cookies and Other Tracking Technologies:** We may use cookies, web beacons (also known as “tracking pixels”), embedded scripts, location-identifying technologies, in-app tracking methods, and other tracking technologies now and hereafter developed (“**Tracking Technologies**”) to collect information about interactions with our Service or emails, including information about your

browsing and viewing behavior and to ensure that only authorized users and devices can access the Service and Screener Content.

- o *Cookies*

A cookie is a small text file that is stored on a user's device. We use both session ID cookies and tracking cookies. Session cookies make it easier for you to navigate our Service and expire when you close your browser. Tracking cookies help us understand how you use the Service and enhance your user experience. Cookies remain on your hard drive for an extended period of time. If you use your browser's method of blocking or removing cookies, some features and functionalities of our Service may not work.

- o *Web Beacons (“Tracking Pixels”)*

Web beacons are small graphic images, also known as “**Internet tags**” or “**clear gifs**,” embedded in web pages and email messages. Web beacons may be used to count the number of visitors to our Service, to monitor how users navigate the Service, and to count how many particular articles or links were actually viewed.

- o *Embedded Scripts*

An embedded script is programming code designed to collect information about your interactions with the Service. It is temporarily downloaded onto your computer from our web server or a third party with whom we work, is active only while you are connected to the Service and deleted or deactivated thereafter.

- o *Location-identifying Technologies*

GPS (global positioning systems) software and other location-based technologies locate you for purposes such as verifying your location and delivering relevant content based on your location.

We are giving you notice of the Tracking Technologies and your choices regarding them, as explained below in “*Unsubscribe to Email Messages*,” so that your consent to encountering them is meaningfully informed.

### **Information From Other Sources**

We may also obtain information about you from other sources and combine that with information we collect about you. To the extent we combine such third party sourced information with Personal Information we collect directly from you on the Service, we will treat the combined information as Personal Information under this Privacy Policy. We are not responsible for the accuracy of the information provided by third parties or third-party practices.

### **How We Use Your Information**

We use your Personal Information for the following purposes:

- Enrolling you as a customer and managing your online, residential, or commercial accounts and services.
- Verifying your identity and maintaining customer security.
- Carrying out our obligations and enforcing our rights arising from any contracts entered into between you and us, including for billing and collections.
- Communicating you, including to respond to your comments or requests for information, to request feedback on our products and services, provide other customer services, and notifying you about changes to the Services.
- To help us understand our site visitors and customers, tailor and enhance our product and service offerings, anticipate and resolve problems with any products or services supplied to you, and create products or services that may meet your needs.
- To send you news and updates about Symmetry Energy Solutions, LLC and our products and services that we believe may interest you (for information about how to manage these communications, see “**Unsubscribe to email messages**” below), to tell you about special events, programs, offers and promotions.
- To invite you to participate in surveys and performing market and consumer research.
- To comply with legal and/or regulatory requirements and policies, cooperate with regulators and law enforcement bodies, assisting emergency responders in situations of immediate threat to life or property and enforce our Symmetry Energy Solutions, LLC Online Terms of Use.
- Assessing candidates for employment.
- Evaluating or conducting a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as an ongoing concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred. To protect our rights and property, your rights, and the rights of others, and to meet our own high standards of business practice.
- For other reasons, where the use or sharing of the information will be described to you in context upon the collection of the information.

### **How We Share Your Personal Information**

We share your personal information that we have collected with the following persons/entities and in the following circumstances:

- ***Third Party Service Providers.*** To enable us to provide the products and services you have requested from us, we may share your personal information with selected entities that act on our behalf as our agents, suppliers, or providers. These entities may also collect your personal information on our behalf.

- ***Legal Compliance and the Protection of Our Rights.*** We will share information with regulators, government authorities, and third parties where we believe it is necessary to comply with a court order, subpoena, or regulatory request. We may disclose information when we believe in good faith that such disclosures will: support our detection of, prevention of, or response to fraud or intellectual property infringement; help protect your safety or security; or protect the safety and security of the Website, our services, or any individual.
- ***Transfer of Business Assets.*** As we continue to develop our business, we might acquire or buy other businesses or assets. In such transactions, customer information generally is one of the transferred business assets. Also, we may transfer any information we have about you as an asset to third parties in connection with the consideration, negotiation, or completion of a merger or sale (including transfers made as part of insolvency or bankruptcy proceedings) involving all or part of our Company, or as part of a corporate reorganization or stock sale or other change in corporate control, for the purposes of such third parties carrying on our business in relation to the continued provision of our services to you as described in this Privacy Policy.
- We may also share information about you with our third parties as follows:
  - To protect the rights, property, life, health, security and safety of us, the Service or any third party;
  - With our affiliates for internal business purposes; and
  - With our subsidiaries, affiliates, business partners, and other third parties for their own business purposes.

Without limiting the foregoing, in our sole discretion, we may share aggregated information which does not identify you or de-identified information about you with third parties or affiliates for any purpose.

### **Information You Disclose Publicly Or To Others**

The Service may permit you to submit ideas, photographs, user profiles, writings, music, video, audio recordings, computer graphics, pictures, data, questions, comments, suggestions or other content, including Personal Information (collectively, “**User Content**”), on platforms such as blogs and forums, and in association with your account and user profile. We or others may store, display, reproduce, publish, distribute or otherwise use User Content online or offline in any media or format (currently existing or hereafter developed) and may or may not attribute it to you. Others may have access to this User Content and may have the ability to share it with third parties. Please think carefully before deciding what information you share, including Personal Information, in connection with your User Content. Please note that Symmetry does not control who will have access to the information that you choose to make public and cannot ensure that parties who have access to such publicly available information will respect your privacy or keep it secure. We are not responsible for the privacy or security of any information that you make publicly available on the Service or what others do with information you share with them on the Service. We are not responsible for the accuracy, use or misuse of any User Content that you

disclose or receive from third parties through the Service. We are not responsible for User Content you submit to third party services via our Service.

### **Data Security and Data Retention**

We have implemented administrative, technical and physical safeguards to help protect against accidental, unlawful or unauthorized destruction, loss, alteration, access, disclosure or use. Despite these protections, however, we cannot guarantee that your data will never be compromised. You should take measures to protect your personal information. If you have reason to believe that your interaction with us is no longer secure, please immediately notify us in accordance with the “*Contacting Us*” section below. Please note that it is the responsibility of account holders to ensure that their passwords are sufficiently complex and are kept secure. We retain your personal information for as long as we have a relationship with you and for a period after the relationship has ended. When determining how long to keep your personal information after our relationship with you has ended, we take into account how long we need to retain the information to fulfill the purposes described above and to comply with our legal obligations, including regulatory obligations. We may also retain personal information to investigate or defend against potential legal claims in accordance with the limitation periods of countries where legal action may be brought.

### **Where We Operate Our Service**

Our Service is governed by applicable U.S. laws. When you provide Personal Information to us, we may process it in the U.S. or outside of the country in which you are located. Data protection laws in the U.S. may be different from those of your country of residence. Your use of the Service or provision of any information therefore constitutes your consent to the transfer to and from, processing, usage, sharing and storage of your information, including Personal Information, in the U.S. as set forth in this Privacy Policy.

### **California Residents**

To the extent you are a California resident who interacts with our Mass Markets Division, please see our CCPA addendum <https://symmetryenergy.com/privacy/ccpa.pdf> for an outline of your rights, and our obligations, in relation to the processing of your personal information.

### **Links To Other Websites**

Our Service may provide links to independent, third-party websites, locations, platforms or services. Even though we provide links to other websites, we are not responsible for the content found on those websites, and they may have their own privacy policies regarding collecting and sharing Personal Information.

### **Social Media Features**

Our Service provides social media features that let you share our information and interact with us through social networks. Using these features may result in us collecting or sharing information about you.

Social media networks operate independently from Symmetry. We are not responsible for their interfaces, privacy or security practices. We encourage you to review the privacy policies and settings on the social media sites you use so you can understand how they operate.

If you access our Service through social media platforms (like Facebook), we may access and store information through an interface provided by the platform. We collect this information in accordance with social networks' terms of use or terms of service.

### **Advertising, Analytics Services, And Online Tracking**

We may engage and work with third parties to serve advertisements on our behalf on the Service and/or on third-party services and to provide analytics services about the use of our Service and the performance of our ads and content on third-party services. In addition, we may participate in online advertising networks and exchanges that display relevant advertisements to our Service visitors, on our Service and on third-party services and off of our Service, based on their interests as reflected in their browsing of the Service and certain third-party services. These entities may use cookies and other Tracking Technologies to automatically collect information about you and your activities, such as registering a unique identifier for your device and tying that to your online activities on and off of our Service. We may use this information to analyze and track data, determine the popularity of certain content, deliver advertising and content targeted to your interests on the Service and third-party services and better understand your online activity.

Some information about your browsing of the Service and certain third-party services may be collected across time and services and shared with third parties to deliver ads and/or other content to you on the Service and certain third-party services. Symmetry may receive information about Third-Party Services that you have visited and use it for marketing purposes—a practice sometimes termed “(re)-targeting,” “interest-based advertising,” and “online behavioral advertising.” Data collected from a particular browser or device may be used with another computer or device that is linked to the browser or device on which such data was collected or transferred to a non-affiliate for such purposes.

You can manage cookie preferences and opt out of having cookies and other data collection technologies used by adjusting the settings of your browser. All browsers are different; visit the “**Help**” section of your browser to learn about cookies preferences and other privacy settings that may be available.

We are not responsible for third parties or third-party services associated with advertising and analytics services and related tracking activities. Consult their privacy policies and notices for information on their practices and see “**Unsubscribe to email messages**” below regarding certain choices some of them may offer you.

### **“Do not track” Signals**

While your browser settings may allow you to automatically transmit a “do not track” signal to websites and online services you visit, like many companies, we do not alter our practices when we receive these signals. To learn more, visit <http://www.allaboutdnt.com>.

## Children's Privacy

Our Service is not intended for children younger than age 16. If we learn we have collected or received personal information from a child under 16 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 16, please contact us at [privacy@symmetryenergy.com](mailto:privacy@symmetryenergy.com) and we will delete it from our records.

## Access

Our online tools make it easy to manage your contacts and Personal Information. Log in or sign up for our customer portal to manage your account preferences. You may also email us at [privacy@symmetryenergy.com](mailto:privacy@symmetryenergy.com).

## Unsubscribe To Email Messages

You can tell us not to send you promotional emails by clicking the unsubscribe link at the bottom of the emails you receive from us. Doing so will not prevent us from sending you transactional emails such as billing, account-related, regulatory or safety emails, but it does mean that you will not learn about Symmetry products or services as soon as they are announced.

You may re-subscribe for emails at any time by contacting Customer Service. It typically takes ten business days to process subscription requests.

## Opt Out Of Receiving Targeted Advertising

Certain companies may participate in the Digital Advertising Alliance (“**DAA**”) AdChoices Program and may display an Advertising Option Icon for interest-based ads that links to an opt-out tool which allows you to exercise certain choices regarding targeting. You can learn more about the DAA AdChoices Program at [ouradchoices.com](http://ouradchoices.com) and its opt-out program for mobile applications at [aboutads.infofappchoices](http://aboutads.infofappchoices). In addition, certain advertising networks and exchanges may participate in the Network Advertising Initiative (“**NAI**”). NAI has developed a tool that allows consumers to opt out of certain targeted advertising delivered by NAI members’ ad networks. To learn more about opting out of targeted advertising or to use the NAI tool, visit [networkadvertising.org/choices/](http://networkadvertising.org/choices/). Please be aware that, even if you are able to opt out of certain kinds of targeted advertising, you will continue to receive non-targeted ads. We are not responsible for the effectiveness of, or compliance with, any third parties’ opt-out options or programs or the accuracy of their statements regarding their programs.

In addition, we may serve ads on third-party services that are targeted to reach people on those services that are also identified on one of more of our databases (“**Matched List Ads**”). This is done by matching common factors between our databases and the databases of third-party operators. For instance, we may use such ad services offered by Google, Facebook, or Twitter. If we use Google to serve Matched List Ads, you can opt out by emailing us at [privacy@symmetryenergy.com](mailto:privacy@symmetryenergy.com). If we use Facebook to serve Matched List Ads, you should be able to hover over the box in the right corner of such a Facebook ad and find out how to opt out with us from such list. If we use Twitter Matched List Ads, you should be able to opt out through your account settings on Twitter. If you opt out from our Google Matched List Ads, Facebook Matched List Ads, or Twitter Matched List Ads, you will be removed from that



respective list; however, this will not take effect immediately. and if you have multiple emails or other accounts, you may have to opt out separately for each one. We are not responsible for such third-party services' failure to comply with your or our opt-out instructions or to provide us notice of your opt-out elections, and they may change their options without notice to us or you.

### **Changes to Privacy Policy**

It is our policy to post any changes we make to our Privacy Policy on this page with a notice that the Privacy Policy has been updated on the Website home page. If we make material changes to how we treat our users' personal information, we will notify you through a notice on the Website home page. The "**LAST REVISED**" legend at the top of this Privacy Policy indicates when this Privacy Policy was last revised. Any changes will become effective when we post the revised Privacy Policy. Use of the Services following these changes, or your continued provision of personal information to us, signifies acceptance of the revised Privacy Policy. You are responsible for ensuring that we have an up-to-date active and deliverable email address for you and for periodically visiting our Website and this Privacy Policy to check for any changes.

### **Other Sites**

Our Website may contain links to other sites or products that we do not own or operate. Also, links to the Website may be featured on third party websites on which we advertise. Except as provided herein, we will not provide any of your personal information to these third parties without your consent. We provide links to third party websites as a convenience to the user. These links are not intended as an endorsement of or referral to the linked websites. We recommend you read carefully the privacy statements, notices and terms of use of any linked websites. We do not have any control over such websites, and therefore we have no responsibility or liability for the manner in which the organizations that operate such linked websites may collect, use or disclose, secure and otherwise treat your personal information.

### **Contact Us**

If you have any questions or comments about this Privacy Policy, or if you would like us to update information we have about you, please email us at [privacy@symmetryenergy.com](mailto:privacy@symmetryenergy.com).

Or write to us at:  
Symmetry Energy Solutions, LLC  
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1111 Louisiana St. B-241  
Houston, TX 77002