

# Privacy Policy

Last modified: June 2016

## **Introduction**

U.S. Power and Gas, Inc. ("**Company**" or "**We**") respect your privacy and are committed to protecting it through our compliance with this policy.

This policy describes the types of information we may collect from you or that you may provide when you visit the website [www.uspowerandgas.com](http://www.uspowerandgas.com) (our "**Website**") and our practices for collecting, using, maintaining, protecting and disclosing that information.

This policy applies to information we collect:

- On this Website.
- In e-mail, text and other electronic messages between you and this Website.
- When you interact with our advertising and applications on third-party websites and services, if any, if those applications or advertising include links to this policy.

It does not apply to information collected by:

- us offline or through any other means, including on any other website operated by Company or any third party (including our affiliates and subsidiaries); or
- any third party (including our affiliates and subsidiaries), including through any application or content (including advertising) that may link to or be accessible from or on the Website.

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, your choice is not to use our Website. By accessing or using this Website, you agree to this privacy policy. This policy may change from time to time . Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

## **Electronic Signatures and Consumer Rights**

In accordance with the *Electronic Signatures in Global and National Commerce Act*;

1. You have the right to an electronic or paper record of any authorization or agreement you execute with our Company. To protect your privacy, proof of your identity may be required in order to release records to you.

2. You may request an electronic or paper record of your authorization or agreement by contacting us at:

U.S. Power and Gas, Inc.  
9701 International Court North, Suite A  
St. Petersburg, Florida  
Toll-Free (877) 343-9044.

3. Electronic records are provided in PDF form via an email address that you provide. Paper records will be sent to you via U.S.P.S. There is no charge to you for a single record copy.
4. PDFs are readable using software from Adobe Systems Incorporated which is often available for personal computers online at no charge. For smart phones, tables, and other electronic devices there may be a fee for the PDF reader from the software manufacturer which is entirely under their control and discretion.
5. If you consented to receiving calls from our Company or its affiliates you may withdraw that consent by calling toll-free (877) 343-9044, asking to be placed on our do-not-call list.

### **Children Under the Age of 13**

Our Website is not intended for children under 13 years of age. No one under age 13 may provide any personal information to or on the Website. 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 Website or on or through any of its features/register on the Website, make any purchases through the Website (as applicable), use any of the interactive or public comment features of this Website or provide any information about yourself to us, including your name, address, telephone number, e-mail 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 the address listed at the end of this policy.

### **Information We Collect About You and How We Collect It**

We collect several types of information from and about users of our Website, including information:

- by which you may be personally identified, such as name, postal address, e-mail address, telephone number or any other identifier by which you may be contacted online or offline ("**personal information**");
- that is about you but individually does not identify you, such as computer IP address or area of residence, and/or
- about your internet connection, the equipment you use to access our Website and usage details.

We may collect this information:

- Directly from you when you provide it to us.

- Automatically as you navigate through the site. Information collected automatically may include usage details, IP addresses and information collected through cookies and other tracking and analytics technologies.
- From third parties, for example, our business partners.

**Information You Provide to Us.** The information we collect on or through our Website may include:

- Information that you provide by filling in forms on our Website. This includes information provided at the time of posting material or requesting further services. We may also ask you for information when you enter a contest or promotion sponsored by us, if any, and when you report a problem with our Website.
- Records and copies of your correspondence (including e-mail addresses), if you contact us.
- Your responses to surveys that we might ask you to complete for research purposes (as applicable).
- Details of transactions you carry out through our Website and of the fulfillment of your orders, as applicable. You may be required to provide financial information before placing an order through our Website.
- Your search queries on the Website.

You also may provide information to be published or displayed (hereinafter, "**posted**") on public areas of the Website, or transmitted to other users of the Website or third parties (collectively, "**User Contributions**"). Your User Contributions are posted on and transmitted to others at your own risk. Although please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of other users of the Website 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.

**Information We Collect Through Automatic Data Collection Technologies.** As you navigate through and interact with our Website, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions and patterns, including:

- Details of your visits to our Website, including traffic data, location data, logs and other communication data and the resources that you access and use on the Website.
- Information about your computer and internet connection, including your IP address, operating system and browser type.

The information we collect automatically is statistical data and may include personal information, but we may maintain it or associate it with personal information we collect in other

ways or receive from third parties. It helps us to improve our Website and to deliver a better and more personalized service, including by enabling us to:

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

The technologies we may use for this automatic data collection may include:

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website.
- **Flash Cookies.** Certain features of our Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies.
- **Web Beacons.** Pages of our Website and our e-mails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or opened an e-mail and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

We do not collect personal Information automatically, but we may tie this information to personal information about you that we collect from other sources or you provide to us.

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

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

- To present our Website and its contents to you.
- To provide you with information, products or services that you request from us.
- To fulfill any other purpose for which you provide it.
- To notify you about changes to our Website or any products or services we offer or provide though it.

- To allow you to participate in interactive features on our Website.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

We may use the information we have collected from you to enable us to display advertisements to our advertisers' target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

### **Disclosure of Your Information**

We may disclose aggregated information about our users, and information that does not identify any individual, without restriction.

We may disclose personal information that we collect or you provide as described in this privacy policy:

- 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 the Company's assets, whether as a going concern or as part of bankruptcy, liquidation or similar proceeding, in which personal information held by the Company about our Website users is among the assets transferred.
- To fulfill the purpose for which you provide it. For example, if you give us an e-mail address to use the "e-mail a friend" feature of our Website, we will transmit the contents of that e-mail and your e-mail address to the recipients.
- For any other purpose disclosed by us when you provide the information.
- With your consent.

We may also disclose your personal information:

- To comply with any court order, law or legal process, including to respond to any government or regulatory request.
- To enforce or apply our terms of use [www.uspowerandgas.com/termsandconditions](http://www.uspowerandgas.com/termsandconditions) and other agreements, including for billing and collection purposes.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of the Company, our customers or others. This includes exchanging

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

### **Choices About How We Use and Disclose Your Information**

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly.
- **Promotional Offers from the Company.** If we have sent you a promotional e-mail, you may send us a return e-mail asking to be omitted from future e-mail distributions. This opt out does not apply to information provided to the Company as a result of a product purchase, warranty registration, product service experience or other transactions.

### **Accessing and Correcting Your Information**

If you delete your User Contributions from the Website, copies of your User Contributions may remain viewable in cached and archived pages, or might have been copied or stored by other Website users. Proper access and use of information provided on the Website, including User Contributions, is governed by our terms of use.

### **Your California Privacy Rights**

California Civil Code Section § 1798.83 permits users of our Website 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 send contact us at the address listed at the end of this policy.

### **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.

The safety and security of your information also depends on you. We urge you to be careful about giving out information in public areas of the Website like message boards. The information you share in public areas may be viewed by any user of the Website.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Website. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Website.

### **Changes to Our Privacy Policy**

It is our policy to post any changes we make to our privacy policy on this page. The date the privacy policy was last revised is identified at the top of the page. You are responsible for periodically visiting our Website and this privacy policy to check for any changes.

### **Contact Information**

To ask questions or comment about this privacy policy and our privacy practices, contact us at 9701 International Court North, Suite A, St. Petersburg, FL 33716 or via our toll-free phone number at (877) 343-9044.