

MEMBERSHIP LIST POLICY

Membership List Policy

PEDERNALES ELECTRIC COOPERATIVE, INC.

1. Purpose:

1.1. The Board of Directors ("Board") of Pedernales Electric Cooperative ~~Board of Directors, Inc. ("PEC" or "Cooperative")~~ wishes to maintain and increase the vigor of the Cooperative's democratic Member control, consistent with Cooperative principles by making Member names and ~~contact information~~ Contact Information available to the membership. The Board ~~of Directors~~ establishes this Membership List Policy ("Policy") to balance the need for transparency and democratic control with the privacy rights of its Members by allowing the limited distribution of ~~membership lists~~ Membership Lists.

2. Scope:

2.1. This Policy applies to the ~~names and~~ Contact Information of all Members of the Cooperative.

3. Definitions:

- 3.1.** Contact Information ~~-means-~~ Means the following Member information: name, postal mailing address, city, state, zip code, and PEC voting district.
- 3.2.** Membership List ~~-means-~~ Means an electronic or printed record that contains Member Contact Information. The list shall exclude any ~~member's information~~ Member's Contact Information who ~~has opted out~~ Opts-Out of releasing their information as provided by this ~~policy~~ Policy.
- 3.3.** Opt-out ~~-means-~~ Out - Means a written or electronic communication to the Cooperative that evidences ~~and an~~ affirmative choice by a Member to have ~~their personal Member information~~ Contact Information excluded from any releasable Membership List under this Policy.
- 3.4.** Proper Purpose ~~-means-~~ Means a use that is directly connected to a Cooperative business activity, function, or decision; or directly involves Cooperative governance. A ~~proper purpose~~ Proper Purpose includes use in a candidacy for election or nomination for election to the ~~Pedernales Electric Cooperative Board of Directors~~ Board.

4. Policy Statement and Implementation:

- 4.1.** Pursuant to the PEC Bylaws, upon prior written request to the Cooperative, a Member may inspect and copy the Membership List at a reasonable time and location determined by the Cooperative or receive from the Cooperative at no cost to the ~~member~~ Member an electronic or printed copy of the Membership List.
- 4.2.** A Member may inspect, copy, or receive a copy of the Membership List only if, as determined by the Cooperative, the Member's notice or request is made in good faith and for a ~~proper purpose~~ Proper Purpose. The Member's use of the Membership List is limited to the Proper Purpose.

MEMBERSHIP LIST POLICY

Membership List Policy

PEDERNALES ELECTRIC COOPERATIVE, INC.

4.3. Before a Member may receive a Membership List, the Member must describe and affirm in a sworn, notarized affidavit ~~and~~ with reasonable particularity the following:

4.3.1. The ~~purpose~~Proper Purpose for which the Member will use the Membership List;

4.3.2. That the use of the Membership List is directly connected with the Member's ~~purpose;~~ Proper Purpose; and

4.3.3. Except as otherwise provided by the Board, a Member must agree not to and may not~~;~~:

4.3.3.1. Use the Membership List for a purpose unrelated to the Member's interest as a Member or unrelated to the ~~proper purpose;~~Proper Purpose;

4.3.3.2. Use the Membership List to solicit money or property;

4.3.3.3. Use the Membership List for a commercial purpose; or

4.3.3.4. Sell the Membership List.

4.4. Member Opt-Out Option

Any Member may by written or electronic communication to the Cooperative choose to have ~~their personal Member information~~Contact Information excluded from any Membership List released under this Policy.

5. Procedure Responsibilities:

5.1. ~~PEC Management~~PEC's General Counsel or its designee is responsible for receiving requests and releasing Membership Lists. ~~Management~~

5.2. ~~PEC's General Counsel~~Member Relations, in cooperation with Information Technology, - or its designee shall ~~also~~ maintain a record of all Members that choose to ~~opt-out~~Opt-Out of providing ~~information~~Contact Information under this Policy.

5.3. When a ~~proper purpose~~Proper Purpose is disputed, the Board ~~of Directors~~ shall determine whether the use of a Membership List is for a ~~proper purpose.~~Proper Purpose.

6. Enforcement:

6.1. The Board ~~of Directors~~ shall enforce this Policy.

7. Superseding Effect:

7.1. This Policy supersedes all previous policies and memoranda concerning the subject matter. Only the Approver may authorize exceptions to this ~~policy.~~Policy.

8. References and Related Documents:

8.1. Articles of Incorporation, Article IX, Member Bill of Rights

8.2. PEC Bylaws, Article 1, Section 10

8.3. Privacy and Confidentiality Policy

8.4. Open Records Policy

~~MEMBERSHIP LIST POLICY~~
Membership List Policy
PEDERNALES ELECTRIC COOPERATIVE, INC.

8.5. Election Policy and Procedures Section 7.~~98~~ (Membership List Availability)

8.6. Election Policy and Procedures Section 7.~~42~~11.1 (Voter History List)

~~PEC Website Terms of Use Section IV. Electronic Records Disclosure and
Agreement (Withdrawal of Consent for Electronic Delivery)~~

8.7. PEC Online Privacy Statement

MEMBERSHIP LIST POLICY
Membership List Policy
PEDERNALES ELECTRIC COOPERATIVE, INC.

Policy Title:	Membership List Policy
Review Frequency:	Every 35 Years
Last Reviewed:	September 19, 2016 <u>October 16, 2020</u>
Date Adopted:	September 19, 2016
Effective Date:	November <u>October</u> 16, 2009 <u>2020</u>
Amendment Dates:	December 14, 2009; February 22, 2010; March 18 2013; <u>September 19, 2016;</u> <u>October 16, 2020</u>
Approver:	PEC Board of Directors
Applies to:	PEC Members, PEC Board of Directors, and PEC Employees
Administrator:	Legal Services <u>General Counsel</u>
Superseding Effect	This Policy supersedes all previous policies and memoranda concerning the subject matter. Only the Approver may authorize exceptions to this policy.