



Data Protection Policy

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1. Introduction

This policy details how Fuse Energy NY LLC ("Fuse Energy") will manage data protection and data security and ensure a consistency of approach and adherence to applicable laws and regulations. Fuse Energy recognizes that failure to protect personal data poses a risk to employees and customers and the reputation and good standing of the company, as well as the risk of incurring financial penalties.

This policy applies to all Fuse Energy Employees. This policy is reviewed and signed off annually by Fuse Energy's Data Protection Officer ("DPO").

2. Responsibilities

2.1. CEO

The CEO is responsible for data protection and ensuring that Fuse Energy can produce evidence to demonstrate the steps it has taken to comply with data protection requirements.

The CEO will ensure that:

- A DPO is assigned
- The DPO will be involved in all issues relating to the processing of personal data and Data Security
- The DPO will not be personally penalized for carrying out their duties
- Any other tasks and duties that the DPO performs do not result in a conflict of interest.

2.2. Data Protection Officer

Fuse Energy's Head of Operations will act as the designated DPO.

The DPO's responsibilities include:

- Advising Fuse Energy and its employees who carry out data processing on their data protection obligations
- Monitoring compliance with the applicable laws and regulations and this policy
- Acting as a point of contact for data subjects concerning data protection and their rights under the applicable laws and regulations.
- Assessing the risks associated with any data processing activities, taking into account the nature, scope, context, and purposes of the processing.
- In the event of data breaches, the DPO is responsible for notifying authorities and the affected data subjects, as required.



2.3. Employee Responsibilities

All Fuse Energy employees are required to read, understand, and accept any policies and procedures that relate to the personal data they may handle in the course of their work. All employees who deal with personal information are required to handle that information confidentially and sensitively. Employees who undertake to process personal data supplied by Fuse Energy must do so only in accordance with Fuse Energy's instructions. Employee obligations in respect of data protection and security will form part of their contract of employment.

3. Definitions

Personal data: Personal data is any information relating to a, directly or indirectly, identified, or identifiable natural person.

Special category data /Sensitive personal data: Special category or sensitive personal data refers to data relating to racial or ethnic origins, political opinions, religious or philosophical beliefs, trade union membership, health, sexual orientation, genetic data, or biometric data.

Data controller: A data controller determines the purpose of processing, when, why, and how to process personal data. Fuse Energy is the controller of all personal data relating to its employees, customers, and others whose personal data is used in its business for its commercial purposes.

Data processor: A data processor is responsible for processing personal data on behalf of a data controller and should act only on the controller's instructions. Processing is any activity that involves the use of personal data such as obtaining, recording, holding, amending, using, transferring, erasing, or disclosing it.

- Fuse Energy is a processor of personal data. Personal data is only processed by Fuse Energy and does not outsource its data processing activity.

4. The Data Protection Principles

The below principles define the obligations of Fuse Energy as a processor of personal data. These principles are as follows:

1. Personal data shall be processed lawfully, fairly, and in a transparent manner
2. Personal data shall be collected for specified, explicit, and legitimate purposes and shall not be further processed in any manner incompatible with those purposes
3. Personal data shall be adequate, relevant, and limited to what is necessary for the purpose for which they are processed
4. Personal data shall be accurate and, where necessary, kept up to date



5. Personal data shall be kept in a form which permits identification of the data subjects for no longer than necessary for the purposes for which the personal data are processed
6. Personal data shall be processed in a manner that ensures the security of personal data

5. Accountability and Governance

5.1. Documentation/ Record keeping

Fuse Energy will document the following information:

- The name and contact details of Fuse Energy's DPO
- The categories of recipients of personal data
- Details of transfers and mechanisms of transfer to third countries
- Retention schedules
- A description of our technical and organizational security measures
- The location of personal data storage
- Records of personal data breaches
- Information required for processing of special category data or criminal conviction and offense data

5.2. Employee Training

Employees will be trained on their data protection and security responsibilities at induction. Employees will also be given the necessary ongoing training to perform their roles in line with this data security policy and the applicable laws and regulations. Such training shall be conducted regularly (at least annually).

6. Data Security

Fuse Energy will ensure that any personal data held will be processed in a manner that ensures its security. It will ensure that its systems and processes include protection against unauthorized or unlawful processing and against accidental loss, destruction, or damage.

Fuse Energy will regularly review its procedures to ensure that personal data held remains accurate and consistent. It will, in particular, ensure that:

- Its IT systems are designed, where possible, to encourage and facilitate the entry of accurate data



- Data on any individual will be held in as few places as necessary, and all employees will be discouraged from establishing unnecessary additional data sets
- Effective procedures will be in place so that all relevant systems are updated when information about any individual change

Fuse Energy has undertaken an assessment of its information risk to determine an appropriate level of security, reviewing the data held and how it is used as well as how the damage or distress it would cause if the data was compromised. Fuse Energy has considered confidentiality, integrity and availability when implementing its data security measures ensuring that:

- The data can be accessed, altered, and deleted only by persons Fuse Energy has authorized to do so
- The data held is accurate and complete for the purposes for which Fuse Energy is processing it
- The data remains accessible and usable, so it can be recovered in the event of accidental loss, alterations, or destruction

Fuse Energy's security measures take into account both physical and cybersecurity, including the following:

- The protection of Fuse Energy premises
- How access to the premises is controlled and how visitors are supervised
- How paper or electronic waste is disposed of
- The security of the network and information systems
- The security of the data within the systems
- The security of the website

Fuse Energy will also ensure the resilience of its systems and services, to enable the systems to continue operating under adverse conditions and the ability to restore the systems to an effective state within a timely manner. Fuse Energy will carry out periodic checks (at least annually) to ensure that its security measures remain appropriate and up to date.

7. NY Uniform Business Practices Data Retention Requirements

Fuse Energy needs to obtain customer authorization to request information from utilities. Fuse Energy should inform our customers of the types of information to be obtained, to whom it will be given, how it will be used, and how long the authorizations will be valid. The authorization is valid for no longer than six months unless the sales agreement provides for a longer time.

Fuse Energy shall retain, for a minimum of two years or for the length of the sales agreement whichever is longer, verifiable proof of authorization for each customer. Verification records



shall be provided by Fuse Energy, upon request of the Department of Public Services, within five calendar days after a request is made.

Locations for storage of the records shall be at the discretion of Fuse Energy.

Upon our termination of the electricity supply of a residential customer due to failure to pay charges, Fuse Energy are required to maintain a current and past due balance for the account of the customer for one year from the date of termination by us.

8. Personal data breaches

A personal data breach can be defined as a security incident that has affected the confidentiality, integrity, or availability of personal data. If a security incident occurs, Fuse Energy will establish whether a personal data breach has occurred and if so, establish the likelihood and severity of the resulting risk to people's rights and freedoms.

Fuse Energy will investigate the cause of the breach and determine what steps are required to correct it and prevent a recurrence. If a breach affects over 500 New York residents, the DPO will notify the New York State Attorney General, the NY Department of State, and the NY State Police.

8.1. Informing individuals about a breach

If a breach is likely to result in a risk to the rights and freedoms of individuals, Fuse Energy will inform those concerned as soon as possible. This notification would be made within 72 hours after the breach is discovered. As part of notification Fuse Energy will provide the following information to individuals when telling them about a breach:

- The name and contact details of the DPO within Fuse Energy
- A description of the likely consequences of the breach
- A description of measures taken to deal with the breach and mitigate any possible adverse effects

8.2. Recording breaches

Fuse Energy will record all personal data breaches, documenting the facts of the breach, its effects and any remedial action taken. Decisions on whether to report the breach to the state authorities or inform individuals will also be recorded.