

# Eastern Iowa Light & Power Cooperative

## BOARD POLICY

**SUBJECT:** Member Requests for Cooperative Information

**PURPOSE:** To establish policy and procedure in response to requests from members for Cooperative information.

**POLICY:**

Cooperative principles promote the idea of an informed, educated membership. In furtherance of this ideal, the cooperative will make available to its members information they request that is relevant to their interests as members.

A. The Cooperative will make certain information and data available to a member, upon request, and at the sole discretion of the Board may make general information available to the members via various publications:

- a. Articles of incorporation, bylaws, rate charges and policies;
- b. Minutes of any member meetings; and
- c. Publications for general distribution relating to the efficient or safe use of electric energy, the Cooperative's energy use, conservation programs, and the like.

Such information and data (unless otherwise posted on the Cooperative's website) may be made available to a requesting member, upon verification of membership of the requesting person, as soon as reasonably practical, during normal business hours.

- B. Any person who has been a member of record in good standing, upon at least five days written demand, is entitled to inspect in person or by agent or attorney, during usual business hours, such members' account information and such other information that a member is entitled to receive as a member of the Cooperative under applicable law and to make copies therefrom. Such inspection is conditioned upon the Cooperative receiving a signed declaration that the inspection is not desired for any purpose not relating to a legitimate member interest which shall be determined by the Cooperative in its sole and absolute discretion. The information obtained may not be used for any of the following purposes: (i) to solicit money or property from the members, (ii) for any commercial purpose, (iii) for any purpose adverse to the business interests of the Cooperative, (iv) to sell or transfer to any person or entity, or (v) for any other purpose not related to his or her interest as a member.
- C. Unless required by statute, an appropriate court order, a valid subpoena, or upon the advice of counsel, all subject to the approval by the Board of Directors, the Cooperative will not release any information or data in relation to any pending or prospective litigation or regulatory matter, or any information or data which the Board of Directors reasonably believes release of such information:

1. Is in violation of federal or state law or regulations;
  2. May invade any person's right to privacy;
  3. Is of a confidential nature, including, but not limited to, information regarding an individual employee, an employee's employment file, or a budgeted but unpublished minimum or maximum for future facilities or contract work that will be negotiated or let to bid;
  4. Contains confidential non-public financial information;
  5. Would violate any agreement with third parties with respect to trade secrets and/or confidentiality agreements;
  6. Might subject the Cooperative to an adverse action, in law or in equity, or by a regulatory agency;
  7. If published would adversely affect the Cooperative in its negotiations with third parties for any reason;
  8. If published would have an adverse effect on the Cooperative which would outweigh the benefits and interests of the requesting member;
  9. Is prohibited by any court having jurisdiction over the subject; or
  10. Would violate the attorney-client privilege or confidential communication between the Cooperative and the Cooperative's attorney.
- D. Subject to the provisions of this policy, and in the Cooperative's sole and absolute discretion, certain non-routine information and data not subject to the provisions of (A), (B), or (C) may be made available as soon as reasonably practical, during normal business hours upon formal written request made by a member, which shall require the member to state a proper purpose and a proper use of such information. The member shall agree to keep all such information released confidential unless the Cooperative grants written permission for dissemination of the information. As a condition of granting such permission, the Cooperative may require the execution of a non-disclosure agreement by the third party.
- E. If permission to release information is granted by the Cooperative, the requesting party shall pay the cost of copying any information or data requested, which will be done on the Cooperative's premises or, at the discretion of the Cooperative, at some other location with one or more of the Cooperative's personnel and/or the Cooperative's attorney retaining custody of the items and being present during their copying.
- F. With respect to non-routine items covered under this policy, the Chief Executive Officer (CEO) or his or her designee, before making such items available, shall consult with the Cooperative's attorney. If, after such consultation, the CEO and the Cooperative's attorney are in agreement as to whether the item will be made available, the CEO or his or her designee will proceed accordingly. If, after consultation, either concludes the item should not be made available, the CEO or his or her designee will withhold the item pending consideration of the request by the Board of Directors and its action thereon. In any event, the CEO, at the next meeting of the Board of Directors, shall report all such requests for information.

G. In the event a request for information is declined by the CEO, an appeal for the requested information may be submitted in writing to the Board of Directors for consideration at the next meeting of the Board of Directors.

H. All decisions of the Board of Directors are final.

#### RESPONSIBILITY

It shall be the responsibility of the Chief Executive Officer to see the provisions of this policy are carried out by all employees. Further delegations may be made as necessary for fulfillment of this policy.

ADOPTED BY THE BOARD OF DIRECTORS ON JULY 31, 1986.

REVIEWED BY THE BOARD OF DIRECTORS ON DECEMBER 20, 1999; JULY 1, 2022.

REVISED BY THE BOARD OF DIRECTORS ON FEBRUARY 29, 1996; JANUARY 26, 2006; DECEMBER 17, 2020; FEBRUARY 24, 2022.

## Request for Information

I, the undersigned, hereby state I am a member in good standing of Eastern Iowa Light and Power Cooperative. The information or data I hereby request is for no one's use other than my own. The specific information I am requesting is as follows:

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The purpose and use for which I request the foregoing specified information is as follows:

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*I agree to keep the requested information confidential unless the Cooperative has provided written permission to disclose the information to a third party. I agree to notify the Cooperative prior to disclosure of the information to any third party, and understand that the Cooperative may, at its sole discretion, refuse permission to disclose the information, or may require the execution of a non-disclosure executed by the third party in a form suitable to the Cooperative.*

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Print Name

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Address

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Signature

Member Account Number: \_\_\_\_\_ Telephone Number: \_\_\_\_\_