

MEMBERSHIP LIST POLICY

PEDERNALES ELECTRIC COOPERATIVE, INC.

1. Purpose:

The Pedernales Electric Cooperative Board of Directors 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 available to the membership. The Board of Directors establishes this 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.

2. Scope:

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

3. Definitions:

3.1. Contact Information - means the following Member information: name, postal mailing address, city, state, zip code, and PEC voting district.

3.2. Membership List – means an electronic or printed record that contains Member Contact Information. The list shall exclude any member's information who has opted-out of releasing their information as provided by this policy.

3.3. Opt-out – means a written or electronic communication to the Cooperative that evidences and affirmative choice by a Member to have their personal Member information excluded from any releasable Membership List under this Policy.

3.4. Proper Purpose – means a use that is directly connected to a Cooperative business activity, function, or decision; or directly involves Cooperative governance. A proper purpose includes use in a candidacy for election or nomination for election to the Pedernales Electric Cooperative Board of Directors.

4. Policy

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 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.

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 for which the Member will use the Membership List;

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

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;

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 excluded from any Membership List released under this Policy.

5. Procedure Responsibilities

PEC Management is responsible for receiving requests and releasing Membership Lists. Management shall also maintain a record of all Members that choose to opt-out of providing information under this Policy. When a proper purpose is disputed, the Board of Directors shall determine whether the use of a Membership List is for a proper purpose.

6. Enforcement

The Board of Directors shall enforce this Policy.

7. Superseding Effect

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

8. References and Related Documents:

Articles of Incorporation, Article IX, Member Bill of Rights

PEC Bylaws Article 1, Section 10

Privacy and Confidentiality Policy

Open Records Policy

Election Policy and Procedures Section 7.9 (Membership List Availability)

Election Policy and Procedures Section 7.12.1 (Voter History List)

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

PEC Online Privacy Statement

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Policy Title:	Membership List Policy
Review Frequency:	Every 3 Years
Last Reviewed:	September 19, 2016
Date Adopted:	September 19, 2016
Effective Date:	November 16, 2009
Amendment Dates:	December 14, 2009; February 22, 2010, March 18 2013, September 19, 2016
Approver:	PEC Board of Directors
Applies to:	PEC Members, PEC Board of Directors, and PEC Employees
Administrator:	Legal Services
Superseding Effect	This Policy supersedes all previous policies and memoranda concerning the subject matter. Only the Approver may authorize exceptions to this policy.