



ARCADIA PRIVACY POLICY

(Last Updated: May 15, 2023)

This Privacy Policy describes how Arcadia Power, Inc. and our affiliates (collectively “**Arcadia**,” “**we**,” “**us**” or “**our**”) handle personal information that we collect through our websites, platform and mobile applications (collectively, the “**Service**”), through social media, in connection with our marketing activities and through other activities described in this Privacy Policy.

Arcadia provides Services to both business customers and direct to consumers. When we provide Services to our business customers, we may collect personal information on their behalf as their processor, and this Privacy Policy does not apply to such information that we process on behalf of our business customers while providing the Services to them. Our use of such information is restricted by our agreements with those business customers. If you have concerns regarding personal information that we process on behalf of a business, please direct your concerns to that business.

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Personal information we collect

Information you provide to us. Personal information you may provide to us through the Service, through our marketing efforts, or otherwise includes:

- **Account data**, such as your first and last name, email address, physical address, phone number, and username and password that you provide when establishing an online account with us.
- **Third party service account data**, such as the username and password, account number, usage/billing data, payment history, account history, program participation data, utility usage data, and other data associated with your other accounts that you instruct us to connect to the Service, such as your utility company account.
- **Communications** that we exchange with you, including when you contact us with questions, feedback, or otherwise.
- **Payment and transactional data** needed to complete your orders on or through the Service (including name, payment card

information, bank account number, billing information), and your purchase history.

- **Research data**, that you provide when you agree to participate in our surveys, promotions, or contents, such as your survey responses.
- **Marketing data**, such as your preferences for receiving our marketing communications, and details about your engagement with them.
- **Other information** not specifically listed here, which we will use as described in this Privacy Policy or as otherwise disclosed at the time of collection.

Third party sources. We may combine personal information we receive from you with personal information we obtain from other sources, such as:

- **Data providers**, such as information services and data licensors.
- **Public sources**, such as social media platforms.
- **Marketing partners**, such as companies that have entered into joint marketing relationships with us.

Automatic data collection. We, our service providers, and our business partners may automatically log information about you, your computer or mobile device, and your interaction over time with the Service, our communications and other online services, such as:

- **Device data**, such as your computer's or mobile device's operating system type and version, manufacturer and model, browser type, screen resolution, RAM and disk size, CPU usage, device type (e.g., phone, tablet), IP address, unique identifiers (including identifiers used for advertising purposes), language settings, mobile device carrier, radio/network information (e.g., WiFi, LTE, 3G), and general location information such as city, state or geographic area.
- **Online activity data**, such as pages or screens you viewed, how long you spent on a page or screen, the website you visited before browsing to the Service, navigation paths between pages or screens, information about your activity on a page or screen, access times, and duration of access, and whether you have opened our marketing emails or clicked links within them.
- **Precise geolocation data**, when you authorize our mobile application to access your device's location.

Cookies and similar technologies. Like many online services, we use the following technologies:

- **Cookies**, which are text files that websites store on a visitor's device to uniquely identify the visitor's browser or to store information or settings in the browser for the purpose of helping you navigate between pages efficiently, remembering your preferences, enabling functionality, helping us understand user activity and patterns, and facilitating online advertising.
- **Local storage technologies**, like HTML5 and Flash, that provide cookie-equivalent functionality but can store larger amounts of data, including on your device outside of your browser in connection with specific applications.
- **Flash cookies**, or locally-stored objects and HTML5 local storage, which are used on websites for purposes similar to cookies but allow storage of a larger amount of data about your activities and preferences across different services and sessions.
- **Web beacons**, also known as pixel tags or clear GIFs, which are used to demonstrate that a webpage or email was accessed or opened, or that certain content was viewed or clicked.
- **Software development kits**, or SDKs, which incorporate into our app third party computer code that allows our service providers or advertising partners to collect user data directly from the app for a variety of purposes, including to provide us with analytics regarding the use of the app, add features or functionality to our app, or to facilitate online advertising.

How we use your personal information

We use your personal information for the following purposes or as otherwise described at the time of collection:

Service delivery. We use your personal information to:

- provide, operate and improve the Service and our business;
- engage in direct-to-consumer marketing efforts;
- communicate with you about the Service, including by sending announcements, updates, security alerts, and support and administrative messages;
- understand your needs and interests, and personalize your experience with the Service and our communications; and
- provide support for the Service, respond to your requests, questions and feedback.

Research and development. We may use your personal information for research and development purposes, including to analyze and improve the Service and our business. As part of these activities, we may create aggregated, de-identified or other anonymous data from personal information we collect. We make personal information into anonymous data by removing information that makes the data personally identifiable to you. We may use this anonymous data and share it with third parties for our lawful business purposes, including to analyze and improve the Service and promote our business.

Marketing and advertising. We, our service providers and our third party advertising partners may collect and use your personal information for marketing and advertising purposes:

- **Direct marketing.** We may send you Arcadia-related direct marketing communications as permitted by law, including by email and text messages. You may opt-out of our marketing communications as described in the Opt-out of marketing section below. We (including our service providers on our behalf) may also engage in door-to-door marketing activities from time to time.
- **Interest-based advertising.** We may engage third party advertising companies and social media companies to display ads on our Service and other online services. These companies may use cookies and similar technologies to collect information about your interaction (including the data described in the automatic data collection section above) over time across the Service, our communications and other online services, and use that information to serve online ads that they think will interest you. This is called interest-based advertising. We may also share information about our users with these companies to facilitate interest-based advertising to those users on other online platforms. You can learn more about your choices for limiting interest-based advertising in the Advertising choices section below.

Compliance and protection. We may use your personal information to:

- comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas or requests from government authorities;
- protect our, your or others' rights, privacy, safety or property (including by making and defending legal claims);
- audit our internal processes for compliance with legal and contractual requirements and internal policies;
- enforce the terms and conditions that govern the Service; and
- prevent, identify, investigate and deter fraudulent, harmful, unauthorized, unethical or illegal activity, including cyberattacks and identity theft.

How we share your personal information

We may share your personal information with the following parties and as otherwise described in this Privacy Policy or at the time of collection:

Third parties at your direction. Third parties when you direct us to, such as when we share your personal information with your local energy utility company to facilitate connecting the Service to your utility account.

Affiliates. Our corporate parent, subsidiaries, and affiliates, for purposes consistent with this Privacy Policy.

Service providers. Companies and individuals that provide services on our behalf or help us operate the Service or our business (such as hosting, information technology, cloud storage, payment processors, customer support, email delivery, online user analytics

services, and marketing, including direct and door-to-door marketing activities).

Advertising partners. Third party advertising companies for the interest-based advertising purposes described above.

Marketing partners. Third party companies whose products and services you may be interested in. You can request to opt-out of this sharing by sending your request to privacy@arcadia.com.

Professional advisors. Professional advisors, such as lawyers, auditors, bankers and insurers, where necessary in the course of the professional services that they render to us.

Authorities and others. Law enforcement, government authorities, and private parties, as we believe in good faith to be necessary or appropriate for the compliance and protection purposes described above.

Business transferees. Acquirers and other relevant participants in business transactions (or negotiations for such transactions) involving a corporate divestiture, merger, consolidation, acquisition, reorganization, sale or other disposition of all or any portion of the business or assets of, or equity interests in, Arcadia or our affiliates (including, in connection with a bankruptcy or similar proceedings).

Please keep in mind that whenever you voluntarily make your personal information available for viewing by third parties or the public on or through our Service, that information can be seen, collected and used by others. We are not responsible for any use of such information by others.

Your choices

You have the following choices with respect to your personal information.

Access or update your information. If you have registered for a Service account, you may review and update certain account information by logging into the account.

Opt-out of marketing communications. You may opt out of marketing-related emails by following the opt-out or unsubscribe instructions at the bottom of the email. You may continue to receive service-related and other non-marketing emails.

Cookies. Most browser settings let you delete and reject cookies placed by websites. Many browsers accept cookies by default until you change your settings. If you do not accept cookies, you may not be able to use all functionality of the Service and it may not work properly. For more information about cookies, including how to see what cookies have been set on your browser and how to manage and delete them, visit www.allaboutcookies.org.

We use Google Analytics to help us understand user activity on the Service. You can learn more about Google Analytics cookies at <https://developers.google.com/analytics/resources/concepts/gaConceptsCookies> and about how Google protects your data at <http://www.google.com/analytics/learn/privacy.html>. You can prevent the use of Google Analytics relating to your use of our sites by downloading and installing a browser plugin available at <https://tools.google.com/dlpage/gaoptout?hl=en>.

We use FullStory to help us understand user activity on the Service and to create re-watchable session replays of user sessions, which may include your mouse movements, scrolls and keystrokes (even if you don't submit text through form fields). We use this information to diagnose and troubleshoot bugs and improve the Service. You can opt out of the collection of your information through FullStory here: <https://www.fullstory.com/optout/>

Local storage. You may be able to limit use of HTML5 cookies in your browser settings. Unlike other cookies, Flash-based local storage cannot be removed or rejected via your browser settings, but you can adjust the settings of your Flash player to block it. Blocking Flash storage may impede the functionality of Flash applications, including those employed by the Service. For more information on Flash local storage visit <https://helpx.adobe.com/flash-player/kb/disable-local-shared-objects-flash.html>

Device location data. Users of our mobile app can disable our access to their device's precise geolocation in their mobile device settings.

Advertising choices. You can limit use of your information for interest-based advertising by:

- **Browser settings.** Blocking third party cookies in your browser settings.

- **Privacy browsers/plug-ins.** By using privacy browsers or ad-blocking browser plug-ins that let you block tracking technologies.
- **Ad industry tools.** Opting out of interest-based ads from companies participating in the following industry opt-out programs:

Network Advertising Initiative: https://www.networkadvertising.org/managing/opt_out.asp

Digital Advertising Alliance: <https://optout.aboutads.info>

AppChoices mobile app, <https://www.youradchoices.com/appchoices>

- **Mobile settings.** Using your mobile device settings to limit use of the advertising ID associated with your mobile device for interest-based advertising purposes.

You will need to apply these opt-out settings on each device from which you wish to opt-out.

Do Not Track. Some Internet browsers may be configured to send “Do Not Track” signals to the online services that you visit. We currently do not respond to “Do Not Track” or similar signals. To find out more about “Do Not Track,” please visit <http://www.allaboutdnt.com>.

Declining to provide information. We need to collect personal information to provide certain services. If you do not provide the information we identify as required or mandatory, we may not be able to provide those services.

Other sites and services

The Service may contain links to websites and other online services operated by third parties. These links are not an endorsement of, or representation that we are affiliated with, any third party. In addition, our content may be included on web pages or other online services that are not associated with us. We do not control websites or online services operated by third parties, and we are not responsible for their actions.

Security

We employ a number of technical, organizational and physical safeguards designed to protect the personal information we collect. However, no security measures are failsafe and we cannot guarantee the security of your personal information.

International data transfer

We are headquartered in the United States and may use service providers that operate in other countries. Your personal information may be transferred to the United States or other locations where privacy laws may not be as protective as those in your state, province, or country.

Children

The Service is not intended for use by children under 16 years of age. If we learn that we have collected personal information through the Service from a child under 16 without the consent of the child’s parent or guardian as required by law, we will delete it.

Changes to this Privacy Policy

We reserve the right to modify this Privacy Policy at any time. If we make material changes to this Privacy Policy, we will notify you by updating the date of this Privacy Policy and posting it on the Service. If required by law we will also provide notification of changes in another way that we believe is reasonably likely to reach you, such as via email or another manner through the Service. Any modifications to this Privacy Policy will be effective upon our posting the modified version (or as otherwise indicated at the time of posting). In all cases, your use of the Service after the effective date of any modified Privacy Policy indicates your acceptance of the modified Privacy Policy.

How to contact us

You can reach us by email at privacy@arcadia.com or at the following mailing address:

Arcadia, Inc.
5600 S Quebec St D320

Greenwood Village, CO 80111

Attention: Legal

California Privacy Notice / Your Privacy Rights

Scope. This section describes how we collect, use, and share the Personal Information of California residents to the extent we act as a “business” under the California Consumer Privacy Act (“CCPA”) and their rights with respect to their Personal Information. For purposes of this section, “**Personal Information**” has the meaning given in the CCPA but does not include information exempted from the scope of the CCPA. Additionally, this section does not apply to information we collect from you in the course of communicating with you in your capacity as an employee, controlling owner, director, officer or contractor of an organization (i.e., company, partnership, sole proprietorship, non-profit or government agency) in the context of performing due diligence on, or providing or receiving products or services to or from, that organization. In some cases we may provide a different privacy notice to certain categories of California residents, such as job applicants, in which case that notice will apply instead of this section.

Your California privacy rights. As a California resident, you have the rights listed below. However, these rights are not absolute, and in certain cases we may decline your request as permitted by law.

- **Information.** You can request the following information about how we have collected and used your Personal Information during the past 12 months:

The categories of Personal Information that we have collected.

The categories of sources from which we collected Personal Information.

The business or commercial purpose for collecting and/or selling Personal Information.

The categories of third parties with whom we share Personal Information.

The categories of Personal Information that we sold or disclosed for a business purpose.

The categories of third parties to whom the Personal Information was sold or disclosed for a business purpose.

- **Access.** You can request a copy of the Personal Information that we have collected about you during the past 12 months.
- **Deletion.** You can ask us to delete the Personal Information that we have collected from you.
- **Opt-out of sales. If we sell your Personal Information, you can opt-out.**
- **Nondiscrimination.** You are entitled to exercise the rights described above free from discrimination as prohibited by the CCPA.

You may submit requests to exercise your right to information, access or deletion by visiting this form or by calling us at our toll-free number (866)-526-0083.

Notice of right to opt-out of the “sale” of your Personal Information. Like many companies, we use online advertising services that employ cookies and similar technologies to collect information about your device and online activity on our sites and other online services. They use this information to try to tailor the ads you see online to your interests. These are called interest-based ads. The CCPA may classify our use of these services as a “sale” of personal information to those advertising services from which California residents have the right to opt-out. You can opt-out of any “sale” that results from use of your personal information for these purposes by visiting www.arcadia.com and following the “Do not sell my personal information” link at the bottom of the page, or by emailing privacy@arcadia.com.

We will need to verify your identity to process your information, access and deletion requests and reserve the right to confirm your California residency. To verify your identity we may require you to log into your Arcadia account, government identification, a declaration under penalty of perjury or other information. Your authorized agent may make a request on your behalf upon our verification of the agent’s identity and our receipt of a copy of a valid power of attorney given to your authorized agent pursuant to California Probate Code Sections 4000-4465. If you have not provided your agent with such a power of attorney, you must provide your agent with written and signed permission to exercise your CCPA rights on your behalf, provide the information we request to verify your identity, and provide us with written confirmation that you have given the authorized agent permission to submit the request. We cannot process your request if you do not provide us with sufficient detail to allow us to understand and respond to it.

Personal information that we collect, use and disclose

The chart below summarizes the Personal Information we collect by reference to the categories of Personal Information specified in the CCPA, and describes our practices currently and during the 12 months preceding the effective date of this Privacy Policy. Information you voluntarily provide to us, such as in free-form webforms, may contain other categories of personal information not described below.

Statutory category of personal information (PI) (Cal. Civ. Code § 1798.140)	PI we collect in this category (See “Personal information we collect” above for description)	Source	Business/ commercial purpose for collection	Categories of third parties whom we “disclose” PI for a business purpose	Categories of third parties to whom we “sell” PI
Identifiers (excluding online identifiers)	Account data Third party service account data	You Through our service providers on our behalf Third party sources	Service delivery Research & development Marketing & advertising Compliance & Protection	Third parties at your direction Service providers Advertising partners Professional advisors	Advertising partners (to facilitate online advertising)
Commercial Information	Account data Payment & transactional data Marketing data Research data Third party service account data Online activity data	You Through our service providers on our behalf Third party sources Automatic collection	Service delivery Research & development Marketing & advertising Compliance & Protection	Third parties at your direction Service providers Advertising partners Professional Advisors	Advertising partners (to facilitate online advertising)
Financial Information	Third party service account data Payment & transactional data	You Through our service providers on our behalf Third party sources	Service delivery Research & development Compliance & Protection	Third parties at your direction Service providers Advertising partners Professional advisors	None
Online Identifiers	Account data Device data	You Automatic collection	Service delivery Research & development Marketing & advertising	Third parties at your direction Service providers Advertising partners	Advertising partners (to facilitate online advertising)

			Compliance & Protection	Professional advisors	
Internet or Network Information	Marketing data Device data Online activity data	Automatic collection	Service delivery Research & development Marketing & advertising Compliance & Protection	Third parties at your direction Service providers Advertising partners Professional advisors	Advertising partners (to facilitate online advertising)
Geolocation Data	Device data Precise geolocation data	Automatic collection	Service delivery Research & development Marketing & advertising Compliance & Protection	Third parties at your direction Service providers Marketing Partners Advertising Partners Professional advisors	Advertising partners (to facilitate online advertising)
Inferences	May be derived from your Third party service account data Payment & transactional data Marketing data Research data Device data	N/A	Service delivery Research & development Marketing & advertising Compliance & Protection	Third parties at your direction Service providers Marketing Partners Advertising Partners Professional advisors	Advertising partners (to facilitate online advertising)

California Shine the Light Law

Under California's Shine the Light law (California Civil Code Section 1798.83), California residents may ask companies with whom they have formed a business relationship primarily for personal, family or household purposes to provide the names of third parties to which they have disclosed certain personal information (as defined under the Shine the Light law) during the preceding calendar year for their own direct marketing purposes and the categories of personal information disclosed. You may send us requests for this information to privacy@arcadia.com. In your request, you must include the statement "Shine the Light Request," and provide your first and last name and mailing address and certify that you are a California resident. We reserve the right to require additional information to confirm your identity and California residency. Please note that we will not accept requests via telephone, mail, or facsimile, and we are not responsible for notices that are not labeled or sent properly, or that do not have complete information.