

FPB Nextband Stream Privacy Policy

Last Updated December 29, 2020

Introduction

The Electric and Water Plant Board of the City of Frankfort, Kentucky (“FPB”, “us”, “we”, or “our”) respects your privacy and is committed to protecting it through our compliance with this privacy policy. This privacy policy describes the types of information we may collect or that you may provide when you download, install, register with, access, or use the FPB Nextband Stream app (the “App”) and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This privacy policy applies only to information we collect in this App and in email, text, and other electronic communications sent through or in connection with this App. This privacy policy does not apply to information that: (i) we collect offline or through any other means, including any other FPB apps or websites, including websites you may access through this App; or (ii) you provide to or is collected by any third party (see “Third-Party Information Collection”). Our websites and other apps, and these third parties may have their own privacy policies, which you should read before providing information on or through them.

Consent

PLEASE READ THIS PRIVACY POLICY CAREFULLY TO UNDERSTAND OUR POLICIES AND PRACTICES REGARDING YOUR INFORMATION AND HOW WE WILL TREAT IT. IF YOU DO NOT AGREE WITH OUR POLICIES AND PRACTICES, DO NOT DOWNLOAD, INSTALL, REGISTER WITH, ACCESS, OR USE THIS APP. BY DOWNLOADING, INSTALLING, REGISTERING WITH, ACCESSING, OR USING THIS APP, YOU AGREE TO THIS PRIVACY POLICY AND FPB’S COLLECTION AND SHARING OF YOUR INFORMATION ACCORDING TO THE TERMS OF THIS PRIVACY POLICY. THIS PRIVACY POLICY MAY CHANGE FROM TIME TO TIME (SEE “CHANGES TO THIS PRIVACY POLICY”). YOUR CONTINUED USE OF THIS APP AFTER WE MAKE CHANGES IS DEEMED TO BE ACCEPTANCE OF THOSE CHANGES, SO PLEASE CHECK THE POLICY PERIODICALLY FOR UPDATES.

Changes to This Privacy Policy

FPB reserves the right, in its sole discretion, to update, change, modify, add or remove portions of this privacy policy from time to time. If we make material changes to how we treat our users’ personal information, we will post the new privacy policy on this page with a notice that the privacy policy has been updated. Any changes to this privacy policy will be in effect as of the “Last Modified” date referenced in this privacy policy. You are expected to, and you acknowledge and agree that it is your responsibility to, carefully review this privacy policy prior to using this App and from time to time so you are aware of any changes.

Information We Collect and How We Collect It

We collect information from and about users of our App directly from you when you provide it to us and automatically when you use the App.

Information You Provide to Us

When you download, install, register with, access, or use this App, or when you contact us or purchase or rent content or services from us through the App, we may ask you to provide information by which you may be personally identified, such as name, postal address, email address, telephone number, contact preferences, or any other identifier by which you may be contacted online or offline (“personal information”). You are not required to provide the

personal information that we have requested, but, if you chose not to do so, in many cases we will not be able to provide you with our content or services or respond to any queries you may have.

We may also collect information that is about you but individually does not identify you, including, but not limited to:

- Information that you provide by using the App. This includes information provided at the time of registering to use the App, subscribing to our content and services, and requesting additional content or services. We may also ask you for information when you report a problem with the App.
- Records and copies of your correspondence, if you contact us.
- Your responses to surveys that we might ask you to complete for research purposes.

Automatic Information Collection and Tracking

When you download, access, and use the App, it may use technology to automatically collect:

- **Usage Details.** When you access and use the App, we may automatically collect certain anonymous details of your access to and use of the App, including traffic data, location data, logs, and other communication data, as well as the content and resources that you access, use, and/or view on or through the App.
- **Device Information.** We may collect information about your device and internet connection, including the device's unique device identifier, IP address, operating system, browser type, network information, and the device's telephone number.

If you do not want us to collect this information, do not download the App or, if you have previously downloaded the App, delete it from your device. For more information, see "Your Choices About Our Collection, Use, and Disclosure of Your Information."

Third-Party Information Collection

When you use the App or its content, certain third parties may use automatic information collection technologies to collect information about you or your device. These third parties may include but not limited to:

- Advertisers, ad networks, and ad servers.
- Analytics companies.
- Your mobile device manufacturer.
- Your mobile service provider.

These third parties may use tracking technologies to collect information about you when you use this App. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites, apps, and other online services websites. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see "Your Choices About Our Collection, Use, and Disclosure of Your Information" in this privacy policy.

How We Use Your Information

We use information that we collect about you or that you provide to us, including any personal information, to:

- Provide you with the App and its content, and any other information or services that you request from us.
- Verify identity or assist with identification of users, and to determine appropriate services for a user.
- Determine if you are In-Home or Out-of-Home when using the App.
- Fulfill any other purpose for which you provide it.
- Give you notices about your account, including expiration and renewal notices.
- Carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- Notify you when App updates are available, and of changes to any content or services we offer or provide through the App.

If you do not want to receive optional notifications from us, you can opt out anytime by clicking the Unsubscribe link in the email. However, for certain important notifications, such as communications about purchases and changes to our terms, conditions, and policies, you may not opt out of receiving these notifications.

Disclosure of Your Information

We may disclose aggregated information about our users, and information that does not identify any individual or device, without restriction. In addition, we may disclose personal information that we collect or you provide:

- To contractors, service providers, business partners, and other third parties we use to support our business and provide content, each of whom is bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of FPB's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by FPB about our App users is among the assets transferred.
- To fulfill the purpose for which you provide it.
- For any other purpose disclosed by us when you provide the information.
- With your consent.
- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- To enforce our rights arising from any contracts entered into between you and us, including the App's Terms of Use, and for billing and collection.

Your Choices About Our Collection, Use, and Disclosure of Your Information

We strive to provide you with choices regarding the personal information you provide to us. This section describes mechanisms we provide for you to control certain uses and disclosures of your information.

- **Disclosure of Your Information for Third-Party Advertising and Marketing.** FPB does not share your personal information with unaffiliated third parties for promotional purposes.

We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's website.

Data Security

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is stored on our secure servers behind firewalls. Your personal information is password protected and restricted within our organization to employees and trusted partners that need access to your personal information in order to correspond with you and provide the products and/or services that you requested from us. The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to your account or certain parts of our App, you are responsible for keeping this password confidential. Do not share your password with anyone.

Unfortunately, the transmission of information via the internet and mobile platforms is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted through our App. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures we provide.

Children

The App is offered and available only for the personal use of FPB customers who are residents of the United States and are 18 years of age or older and who agree to be bound by these Terms of Use. By accessing or using the App, you represent and warrant that you are of legal age to form a binding contract with FPB and meet all of the foregoing eligibility requirements. Individuals under the age of 18 may utilize the App only with the involvement of a parent or legal guardian, under such person's account and otherwise subject to this Privacy Policy.

Linked Apps and Websites

This privacy policy is applicable only to the App and does not apply to other FPB apps or any third-party apps or websites. The App may contain links to, and media and other content from, other apps and websites. In addition, such third-party media and content may also contain external links. Because of the dynamic media capabilities of the App, it may not be clear to you which links are embedded in the App and which are embedded in third-party media and/or content. FPB cannot and does not guarantee the privacy policies and practices of any third party. FPB does not control, operate, or endorse any information, products, or services of any third-party apps or websites that may be reached through media, content, or links from the App. FPB is providing access to such media, content, and websites only as a convenience to you.

The use of any personal information provided by you to, or automatically collected from, a third party will be governed by that party's privacy policies. If you are unsure whether an app or website is controlled, affiliated, or managed by FPB, you should review the privacy policies at each linked app or website to determine how that site treats your personal information.

Accessing and Correcting Your Personal Information

You can review and change your personal information by logging into the FPB.com web portal and visiting your account profile page. If you have any questions about personal information that may be retained by FPB, you may also contact us at [**contact@fewpb.com**](mailto:contact@fewpb.com)

Governing Law

This privacy policy and any disputes related thereto shall be governed by and construed in accordance with the laws of the State of Kentucky exclusive of its choice of law rules.

Contact information

To ask questions or comment about this privacy policy and FPB's privacy practices, contact us at [**contact@fewpb.com**](mailto:contact@fewpb.com)