

## **1. GENERAL**

We at innogy SE ("innogy") as part of E.ON SE and its affiliated companies ("E.ON Group") take the protection of your personal data very seriously. Your privacy is an important concern for us. We process your personal data in accordance with the applicable statutory data protection requirements for the purposes listed below.

Personal data in the sense of this Data Protection Information means any details relating to you as a person. In particular, relevant personal data includes data captured online (e.g. cookie or tracking data, user IDs and IP addresses) and your personal details (e.g. name, address, contact details, date of birth), your billing details (e.g. consumption at your supply point, advance payment figures and bank details), information about your financial situation (e.g. credit worthiness), data from Smart Home systems (e.g. heating/light management data, information about the security devices used), marketing and sales data (e.g. findings of customer data analysis).

The following information tells you how we handle such data. For the sake of clarity, we have divided this Data Protection Information into sections.

## **2. RESPONSIBLE ORGANISATION AND CONTACT DETAILS**

innogy SE, Opernplatz 1, 45128 Essen, T 0800 9944009, F 0800 9944099, email: [kundenservice@innogy.com](mailto:kundenservice@innogy.com) is responsible for processing your personal data.

If you have any questions or comments about the data protection practices of innogy, (e.g. disclosure and editing of your personal data), you may also contact our Data Protection Officer citing the reference "Data Protection" ([datenschutz@innogy.com](mailto:datenschutz@innogy.com)).

## **3. GENERAL INFORMATION ABOUT VISITING OUR WEBSITES AND USING OUR WEB OFFERS**

### **3.1 Log files**

Every time one of our websites is accessed, innogy collects data and information via an automated system. This is stored in the log files of the server, i.e. the files that record the processes running on a computer or network system.

The following details are collected in this way:

- Information about browser type and version
- Operating system of the user
- Internet service provider of the user
- IP address of the user

- Date and time of access
- Websites from which the user's system has accessed our website (referrers)

Processing of the IP address serves to protect against or trace any hacking or cyberattacks. Processing of the remaining data serves to deliver the content of our website, ensure the functionality of our IT systems, optimise our internet presence and preserve the functionality of the website. The data of these log files is always stored separately from the user's other personal data.

This processing of your data as described above is required to safeguard the legitimate interests of innogy and is justified by balancing the respective interests in favour of innogy. innogy has a legitimate interest in ensuring that the website and services offered there function in a technical sense and are protected from cyberattacks. Your justifiable interest that the aforementioned data is not used for this purpose does not outweigh the legitimate interest of innogy, since innogy uses this data appropriately and in accordance with the stated purpose and you also benefit from the functionality of the websites.

Your personal data will be erased after a period of no more than 14 days, except where innogy is required by law to retain the information or retention of it is permitted for legitimate reasons.

### **3.2 Web analysis and web optimisation via cookies and tracking pixels**

We use cookies and tracking technologies on our websites. These serve the purpose of optimising our websites, improving services and marketing our products. The technologies used and their functions are as follows.

When you visit one of our websites, we place information on your computer in the form of cookies, which we automatically recognise the next time you visit our site. Cookies are text files stored on the internet browser or placed by the internet browser on the computer system of the user. Whenever a user accesses a website, a cookie can be stored on the operating system of the user. That cookie contains a definitive series of characters which enables unique identification of that browser the next time it accesses the website.

The use of cookies helps us to offer you unrestricted use of our website. They allow us to make your visit to our site as convenient as possible. For instance, cookies enable us to adapt a website to your personal interests or store your user name to prevent you having to re-enter it every time you visit.

We also apply tracking pixels on our websites. Tracking pixels are small graphics on websites that enable log-in data to be recorded and analysed. When a user visits the website, these tracking pixels write information on the cookie file within the user's browser. By using pixels, we are able to offer you targeted information and content.

On our websites, you have the option of viewing and editing our [cookie and pixel settings](#). However, please be aware that some technically essential cookies and pixels have to be used in order to maintain the functionality of our websites.

You will find an overview of the cookies and pixels used on our websites, the data processed in each case and the relevant recipients right [here](#).

innogy uses cookies and pixels of the following categories:

### **3.2.1 Essential cookies and pixels**

Essential cookies serve to maintain the technically sound operation of our website. They ensure the stability of the website, support secure log-in, and save the current progress of your order, your log-in details and your shopping cart. You can see which essential cookies we use from our full List of Cookies and Pixels, available [here](#).

The data collected about you in this way is anonymised by technical measures to ensure it can no longer be traced back to you. This data is not stored with other personal details we collect from you. When you access one of our websites, you will be informed via a banner message about our use of cookies and also referred to this Data Protection Information. In addition, reference will be made in this context to the method you can use to block the storage of cookies in your browser settings.

This processing of your data as described above is required to safeguard the legitimate interests of innogy and is justified by balancing the respective interests in favour of innogy. Without using this data, some functions of our internet presence cannot be offered. It is essential for this process that the browser is also recognisable after you have switched pages. innogy also has a legitimate interest in processing your aforementioned personal data; namely to assist in selling its own products by operating its own websites in accordance with their intended function. Your justifiable interest that the aforementioned data is not used for this purpose does not outweigh the legitimate interest of innogy, since innogy uses this data appropriately and in accordance with the stated purpose and you also have an interest in being able to access our website in a customer-friendly manner.

**You have the right to object at any time to processing of your data which has occurred as the result of a balancing of interests, if there are grounds for objection arising from your particular situation. Please refer to Section 8 in this context. The simplest way for you to lodge your objection is to use the relevant opt-out cookie/pixel via our downloadable [List of Cookies and Pixels](#).**

### **3.2.2 Analytical cookies**

We also use cookies that help us analyse the surfing habits of users. Analytical cookies allow us to analyse the websites so we can measure the performance of our pages and improve them accordingly. In this context, we use cookies for so-called reach measurement. With the aid of these cookies, we can compile statistical profiles which are not traceable to an individual person but only relate to statistical groups. These are then used to analyse visitor habits and

click patterns as well as the demographic features of our website visitors. You can view the List of Cookies and Pixels we use [here](#). This provides information about the analytical cookies we use and also gives you the option of using all of them or objecting to the use of specific cookies and pixels. The data collected from you in this way is anonymised by technical measures to ensure it can no longer be traced back to you. This data is not stored with other personal details we collect from you. When you access one of our websites, you will be informed via a banner message about our use of cookies and also referred to this Data Protection Information. In addition, reference will be made in this context to the method you can use to block the storage of cookies in your browser settings.

This processing of your data as described above is required to safeguard the legitimate interests of innogy and is justified by balancing the respective interests in favour of innogy. innogy also has a legitimate interest in processing the aforementioned personal data, namely to assist in selling its own products by operating its own websites in accordance with their intended function. Your justifiable interest that the aforementioned data is not used for this purpose does not outweigh the legitimate interest of innogy, since innogy uses this data appropriately and in accordance with the stated purpose and you have the option of blocking the storage of cookies.

**You have the right to object at any time to processing of your data which occurs as the result of a balancing of interests, if there are grounds for objection arising from your particular situation. Please refer to Section 8 in this context. The simplest way for you to lodge your objection is to use the relevant opt-out cookie/pixel via our [downloadable cookie and pixel list](#).**

### 3.2.3 Marketing cookies

Marketing cookies help us to offer you personalised advertising on innogy.com and beyond. You can see the marketing cookies we use from our full List of Cookies and Pixels, available [here](#).

In this context, we also use cookies for the purpose of remarketing, “**retargeting**” or “**lookalike retargeting**”. Retargeting is where a cookie with the relevant information enables recognition of the user’s browser so it can be retargeted on external websites. On the basis of the accumulated cookie information, statistical twins of the original cookie profiles can also be identified and addressed. This is commonly referred to as lookalike retargeting.

Furthermore, we also use a so-called **dynamic tracking system**. This system serves to determine the services of the various marketing channels of the innogy web shop. When you visit the web shop, data from your browser is collected for the purpose of statistical analysis. This data is forwarded to various technical and statistical service providers as part of an order management process. Collection of this data occurs via a pixel that is integrated within every web shop.

In addition, we use cookies in this context for user-related or so-called **behavioural advertising** purposes. On our websites, data containing user information, (e.g. websites visited, number of visits, visiting times, time spent on individual pages), is stored by means of cookies on the hard drive of the user. These user profiles are anonymised and analysed by a technical (statistical) evaluation process in order to later offer a selection of suitable online offers on other websites (e.g. via banner advertising) that are likely to be of interest to the particular user. This behavioural targeting is carried out by third-party companies, whose names can be viewed in this [list](#). They also provide advertising for the websites of other companies. These third-party companies then compile user profiles themselves by means of cookies and apply their own targeting systems to use the collected data for the purpose of selecting suitable advertising for particular users.

When you access our websites, you will be informed via so-called cookie banners about our use of cookies for marketing purposes, and your consent for processing of personal information used in this context will be sought. As part of that disclosure process, you will also be referred to this Data Protection Information. The legal basis for processing personal data via the use of cookies and pixels for marketing purposes is your express consent.

**You have the right at any time to revoke your consent with future effect, without affecting the legality of any processing that occurred on the basis of the consent obtained from you prior to its revocation. The simplest way for you to revoke your consent is to use the relevant opt-out cookie/pixel via our [downloadable cookie and pixel list](#).**

#### **3.2.4 Social media cookies**

Social media cookies give you the option of being linked direct to your social media account if required. This allows you to share websites in social networks and post comments there. You can see the cookies we use from our full list of cookies and pixels, which is available [here](#) and you also have the option of using all of them or objecting to the use of specific cookies and pixels.

We also use cookies for the purpose of social media tracking. Using cookies gives us the option of sharing data with social media companies (such as Google or Facebook) by way of a so-called hash value, in order to be able to offer you personalised content in the form of banners and advertisements. It is not possible for us or our service providers to draw conclusions about you as a person. Usage-based targeting occurs in three steps: data collection via so-called tracking pixels, storage and processing of the log file information and ultimate use of that information in the form of retargeting or lookalike targeting.

Social media pixels and cookies are only activated and only transmit data once you have given us your prior consent via the settings of the cookie law banner. When you access our websites, you will be informed via so-called cookie

banners about our use of social media cookies for marketing purposes, and your consent for processing of personal information used in this context will be sought. As part of that disclosure process, you will also be referred to this Data Protection Information. The legal basis for processing personal data via the use of social media cookies and pixels for marketing purposes is your express consent.

**You have the right at any time to revoke your consent with future effect, without affecting the legality of any processing that occurred on the basis of the consent obtained from you prior to its revocation. The simplest way for you to revoke your consent is to use the relevant opt-out cookie/pixel via our [downloadable List of Cookies and Pixels](#).**

### 3.2.5 Storage periods

After collecting the information transmitted to us via cookies and pixels, it is stored by us for the following periods of time, and then automatically deleted.

| <u>Cookie category</u>    | <u>Storage period</u> |
|---------------------------|-----------------------|
| Analytical cookies        | 24 months             |
| Marketing cookies         | 3 months              |
| Specification: Krux-Pixel | 6 months              |
| Social media cookies      | 3 months              |
| Session cookies           | 24 hours              |

Session cookies are small units of information which we store in the working memory of your computer. A randomly generated, unique identification number forms part of a session cookie and is called the Session ID. Each cookie also contains the details of its origin and storage period.

### 3.2.6 Corporate appearances in social media

By presenting innogy SE in social media, we want to seek active communication with you and provide you with the opportunity to learn about our products and services.

It should be noted that the processing of personal data in countries outside the European Union can not be ruled out as part of these corporate appearances. In the case of the use of the appropriate company appearances, cookies are usually stored on your computer. It contains user behavior and user interests.

As a rule, the data obtained from this are used for the purposes of market research and advertising, whereby advertising behavior is used to

conditionally display advertising that presumably corresponds to the interests of the users.

We process the personal data of users based on our legitimate interest in communicating with individual users.

Furthermore, you may be asked by the provider of the respective social media to consent to the processing of your data.

innogy SE has no control over the data and data processing collected by the provider, nor are we aware of the full extent of the data collection, the purpose of the processing or the retention periods. We also have no information to delete the data collected by the respective provider. Accordingly, we point out that the assertion of data subject rights to the provider must be made, since only this finally has direct access to the collected data and can take appropriate measures and provide information.

### **3.2.7 Company appearances in social media (fan pages on Facebook, Twitter, Instagram, etc.)**

By presenting our company also in social media we would like to seek active communication with you and offer you the opportunity to inform yourself about our products and services in this way. It should be noted that in the context of these company presentations, the processing of personal data in countries outside the European Union cannot be excluded. Under certain circumstances, this may be associated with the risk of a more difficult enforcement of the law, which represents a risk for the individual user. In the case of visiting the corresponding company websites, cookies are usually stored on your computer. These cookies contain information on user behaviour and user interests. As a rule, the data obtained from these cookies is used for market research and advertising purposes, whereby, due to the usage behaviour, advertisements are shown which presumably correspond to the interests of the users, i.e. you.

Through the so-called "Insights" of Facebook pages, statistical data of different categories are available to us via our Facebook page. These statistics are generated and provided by Facebook. As the operator, we have no influence on the generation and presentation of these statistics. We cannot turn off this function or prevent the generation and processing of the data. For a selectable period of time as well as for the categories fans, subscribers, persons reached and interacting persons, the following data is provided to us by Facebook in relation to our Facebook page:

Total number of page views, "Like" information, page activity, post interactions, reach, video views, post reach, comments, shared content, responses, proportion of men and women, country and city of origin, language, shop views and clicks, clicks on route planners, clicks on phone numbers. This also provides data on the Facebook groups linked to our

Facebook page. Due to the constant development of Facebook, the availability and processing of the data is changing, so we refer to the [Facebook Privacy Policy](#)

We use this data, available in aggregated form, to make our posts and activities on our Facebook page more attractive to users. For this purpose, we have agreed with Facebook on the so-called Page Insights supplement regarding the person responsible ("Page Insights supplement"). We process your personal data because of our legitimate interest in communicating with you. Furthermore, it is possible that you may be asked by the provider of the respective social medium for consent to process your data. We have no influence on the data and data processing procedures collected by the provider of the respective medium, nor are we aware of the full extent of the data collection, the purposes of the processing, the storage periods. We also have no information on the deletion of the collected data by the respective provider. Accordingly, we would like to point out that the rights of the persons concerned must be asserted against the provider, since only the provider ultimately has direct access to the collected data and can take appropriate measures and provide information. We must therefore forward inquiries addressed to us to the provider.

Should you require further information regarding the data processing procedures, please contact the provider directly:

- Facebook (Facebook Ireland Ltd., 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ir-land)
- Instagram (Facebook Ireland Ltd., 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland)
- Twitter (Twitter International Company, One Cumberland Place, Fenian Street, Dublin 2, D02 AX07, Ireland)
- YouTube (Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Irland)
- LinkedIn (LinkedIn Ireland Unlimited Company, Attn: Legal Dept. (Privacy Policy and User Agreement), Wilton Plaza, Wilton Place, Dublin 2, Ireland)
- Xing (XING SE, Dammtorstraße 30, 20354 Hamburg, Deutschland)

## **4. SPECIAL OFFERS ON OUR WEBSITE**

### **4.1 Web shop**

#### **4.1.1 Web shop and order process**

The details provided by you as part of a web shop order, (name, address, email address, telephone number, details of payment transaction and details of product ordered) are recorded, processed and used for the purpose of handling your order by innogy or a service provider contracted by innogy, such as a call centre, billing services provider or shipping provider.

Whenever you delete a user account that you have set up in our web shop, your personal details will also be deleted. To delete your user account, please send an email with the key words "Delete User Account" in the reference line, citing your user name, first name and surname, to: kundenservice@innogy.com. It is important that you provide the same details as you entered at the time of registration/order placement.

If innogy is required to retain your personal data for commercial retention periods or for other legal reasons, your data will be disabled rather than deleted.

This processing of your aforementioned data is essential for performance of our contract with you.

#### **4.1.2 Credit checks**

Before entering into a contract, innogy conducts a credit check and consults the results of that credit check in accordance with statutory regulations before making the decision to enter into a contract with you. If negative information about aspects of your credit worthiness is revealed, we are entitled to refuse to enter into a contract with you. In order to obtain information about your credit worthiness, innogy will refer your name, address and date of birth to Creditreform Boniversum GmbH, Hellersbergstr. 11, 41460 Neuss or infoscore Consumer Data GmbH, Rheinstrasse 99, 76532 Baden-Baden.

This processing of your data as described above is required to safeguard the legitimate interests of innogy and is justified by balancing the respective interests in favour of innogy. Without forwarding the information to a company like Creditreform, innogy is not able to check your credit worthiness. innogy also has a legitimate interest in processing your aforementioned personal data for the purpose of conducting a credit check; namely to establish your credit worthiness before entering into a contract with you and thus reducing the risk to innogy of payment defaults.

Your justifiable interest that the aforementioned data is not used for this purpose does not outweigh the legitimate interest of innogy, since innogy uses this data appropriately and in accordance with the stated purpose and you can also reasonably expect your data to be used in such a way to check your credit worthiness prior to entering into a contract. In addition, you are equally protected by this use of your data, since you will be prevented in this way from entering into any contracts that exceed your personal ability to meet your contractual obligations.

### **4.1.3 Payment methods**

Your data will also be forwarded to a credit agency, companies charged with handling the transaction of your preferred payment method and, if necessary, an insolvency company, where forwarding of this information is required and we are entitled to do, as explained below (see also Section 4.1.3.).

For your own and for our security, we can only allow payment by direct debit upon receipt of a positive credit check (see also Credit check). If the direct debit option is not open to you, you will be advised at the appropriate time and other payment options will be provided.

If you wish to pay by credit card, the relevant details will be determined directly by the relevant credit card company and processed there for the purpose of completing the payment. In each case, this will be the credit card company of your choosing; i.e. the credit card company which issued the credit card (e.g. Visa). innogy will then forward to your chosen credit card company only such details as are required to complete the payment transaction.

If payment is made by PayPal, the details of your already established or about to be established PayPal account will be directly determined by PayPal. innogy will then forward to PayPal only such details as are required to complete the payment transaction.

This processing of your aforementioned data is essential for performance of our contract with you.

### **4.1.4 Registration**

You have the option of registering with the innogy web shop by providing your own personal data.

In that case, the data will be conveyed to innogy via the relevant input screen (in particular your name, contact details and enquiry or customer number).

When you register in this way, your IP address and the date and time of registration will also be stored. This is designed to prevent misuse of the services. Your data will not be forwarded by us to third parties, except where there is a legal obligation to do so.

This processing of your data as described above is required to safeguard the legitimate interests of innogy and is justified by balancing the respective interests in favour of innogy. innogy also has a legitimate interest in processing the aforementioned personal data for the purpose of registration; namely to simplify the processing of your request or order, to simplify communication and facilitate good customer relations with you.

Your justifiable interest that the aforementioned data is not used for this purpose does not outweigh the legitimate interest of innogy, since innogy uses this data appropriately and in accordance with the stated purpose and, when choosing to register with us, you can also reasonably expect your data to be used in such a way. Furthermore, you are registering of your own free will and also benefit from the streamlined processing of your request.

The data collected at time of registration will be deleted when your registration on our websites is revoked or edited.

## **4.2 Customer account "my innogy"**

On our websites, we also offer our supply customers the "my innogy" customer account service. You may register for this service in the personal accounts area of the website, where you have the option of managing your meter readings, planning and administering advance payments or viewing current invoices, checking your personal details and editing them where necessary. The details you are able to view, augment or edit in this registration area of the site will be added to your customer master data (name address).

In this case, the data will be conveyed to innogy via the relevant input screen (in particular your name, contact details, enquiry or customer number, phone number, email address and product/service required). When you register in this way, your IP address and the date and time of registration will also be stored. This is designed to prevent misuse of the services.

This processing of your data as described above is required to safeguard the legitimate interests of innogy and is justified by balancing the respective interests in favour of innogy. innogy also has a legitimate interest in processing the aforementioned personal data for the purpose of registration; namely to simplify the processing of your request or order, to simplify communication and facilitate good customer relations with you.

Your justifiable interest that the aforementioned data is not used for this purpose does not outweigh the legitimate interest of innogy, since innogy uses this data appropriately and in accordance with the stated purpose and, when choosing to register with us, you can also reasonably expect your data to be used in such a way. Furthermore, you are registering of your own free will and also benefit from the streamlined processing of your request.

The data collected at time of registration will be deleted when your registration on our websites is revoked or edited.

As part of a registration, contact request in the "my innogy" app, we and the obligated contractor generally use your contract data (name, customer number, terminal type, app version) to answer your request, your order or to give you access to specific information or offers. Your data will only be transmitted to the processor if your request or the service / product requested by you, explicitly provides for this. This will be communicated to you at the appropriate place. You can also save your user name and password information in the app. We can not see these in plain text. This app also uses your location data for the right product selection, uses LocalBased service for routes to the advantage provider, and sends you push messages if you wish. You can change this at any time in your settings.

Your collected and stored data will be deleted if you no longer use the app and delete it from your device.

### **4.3 Customer Portal "innogy Nutzerportal" (Fernwärme)**

On our pages we also provide our customers with the service customer account "innogy user portal". You can register for this personal area if you are a district heating customer. There you can view your consumption history of the last three years, adjust monthly discounts or view and, if necessary, edit current invoices and your personal data. The data that you can view, add or change via the registered area is added to your customer master data (e.g. name, address). In this case the data in the respective input mask (especially name, contact data, prospective customer or customer number, telephone number, email address) will be transmitted to innogy. During registration, the date and time of registration will be saved. This is to prevent misuse of the services. This processing of your above mentioned data is necessary to protect the legitimate interests of innogy and is justified by a balancing of interests in favour of innogy. Your legitimate interest that your above-mentioned data not be used for this purpose does not outweigh the legitimate interest of innogy, as innogy uses these data appropriately in accordance with the described processing purpose and you can expect such use of your data by registering, you can do so voluntarily and you can also benefit from a smoother process. The data collected for registration will be deleted if the registration on our websites is cancelled or changed.

### **4.4 Newsletter**

On our websites, you have the option of subscribing to a free newsletter. When registering for the newsletter, the data you enter on the input screen (name, title, email address) will be conveyed to us. The following data will also be collected when you register for the newsletter:

- IP address of the computer used to access the site
- Date and time of registration
- Date and time of your confirmed consent, including the current version of your confirmed consent (verification process) and the text of the email we send to you.

We collect your email address only for the purpose of delivering the newsletter to you. Recording of other personal data as part of the registration process is designed to prevent misuse of the services or the email address used.

As part of the registration process, your consent for processing the data required to send you the newsletter will be obtained and you will also be referred to this Data Protection Information. The legal basis for processing your personal data in this way is your express consent.

**You have the right at any time to revoke your consent with future effect and in doing so cancel your subscription to the newsletter at any time, without affecting the legality of any processing that occurred on the basis of the consent obtained from you prior to its revocation. The simplest way for you to revoke your consent is via the link provided in the newsletter.**

The data collected for the purpose of your newsletter subscription will be stored for the length of time the subscription remains active.

#### **4.5 Live chat**

On our sites, we use the chat service of iAdvize Société par actions simplifiées, based in France. This is a chat service with an integrated customer service function, which is designed to provide additional opportunities for support when required. We want to increase customer satisfaction by offering this function and optimise the services offered on our websites. iAdvize acts as the agent of innogy and only collects, processes or uses the data obtained from any chat or customer service session for the purposes specified by innogy. It does not forward the data to any third parties.

Data for iAdvize services is saved via local storage and as cookies on your computer. Data is only stored on the iAdvize servers when you initiate a communication process with one of our customer service advisors or chat bot. You can change this local storage option on your computer via the usual browser settings or set it in advance in response to our cookie law banner about cookie management. We will only store the data from a chat session and add it to your customer master data if the chat window is open, input has been entered by you and those entries are required to conclude or amend a contract. Furthermore, it is possible that when high volumes of enquiries are received, a chat bot will be linked to the live chat function to ensure you receive a response as quickly as possible. A chat bot is a text-based dialogue system that enables chatting with a technical system. The same conditions apply to a chat bot as to a live chat.

Please note that, in order to maintain the quality of advice provided by us, it is possible that some of the content of your communication with a customer service advisor may be forwarded to other iAdvize consultants or viewed by superiors.

For the purpose of quality enhancement, future customer service to you and further optimisation of our website and services, customer communication sessions are stored by innogy for three months. If you do not wish this to occur, please let the customer service advisor know, who can prevent local storage of this information at any time. In that case, the data will be deleted immediately after the web browser is closed, unless the data is required to conclude or amend a contract.

This processing of your data as described above is required to safeguard the legitimate interests of innogy and is justified by balancing the respective interests in favour of innogy. By engaging the services of iAdvize, innogy is able to provide you with tailored customer service. innogy also has a legitimate interest in processing the aforementioned personal data; namely to promote the sale of its own products. Your justifiable interest that the aforementioned data is not used for this purpose does not outweigh the legitimate interest of innogy, since

innogy uses the data appropriately and in accordance with the described purpose, and you can decide for yourself whether you wish to use the live chat.

#### **4.6 Options for making contact**

innogy processes your personal data for the purpose of making contact with you. Contact forms for the purpose of electronic contact are available on our websites. Alternatively, you have the option of making contact with us via the contact details provided in Section 2 of this document.

When you make contact with us via one of these channels, the personal details voluntarily supplied by you are automatically saved. They are stored for the purpose of processing your enquiry, making contact with you or, with your consent, used for marketing purposes.

This processing of your data as described above is required to safeguard the legitimate interests of innogy and is justified by balancing the respective interests in favour of innogy. innogy has a legitimate interest in providing you with a platform for simple contact and communication with us. Your justifiable interest that the aforementioned data is not used for this purpose does not outweigh the legitimate interest of innogy, since it is also in your interest for us to process your contact request and respond to it accordingly. Other personal data processed during the dispatching process serves to prevent any misuse of the contact form and safeguard the security of our IT systems.

Your personal data will be automatically deleted 3 months after your contact request has been answered and there is no further justification (such as an existing customer relationship) or statutory requirement to retain the information.

#### **4.7 Recruitment portal**

You have the opportunity to apply online for a position with us via the Recruitment portal of our websites. This electronic Recruitment portal is operated by us for the purpose of handling job vacancies and staff recruitment applications. In this portal, your personal data is processed with a view to a potential employment relationship. For further information about the processing of your data as part of the recruitment process, please refer to the separate information about protection of your data during the registration process.

#### **4.8 Smart Home**

In addition, you have the option of registering on the Smart Home portal or via the Smart Home app, including the details of your central control unit and Smart Home compatible appliances, in order to utilise the products and services of innogy and its partners. Please refer to the [separate information](#) about protection of your data during the registration process.

#### **4.9 innogy Community**

You have the possibility to register for our online community to exchange opinions/information with other community members. Please find more information concerning the data procession of the registration process.

#### **4.10 Supplier portal, eSourcing portal, tender portal**

Corporate Procurement processes your data for the procurement of materials/products and services. Your personal data is processed in accordance with the applicable statutory data protection requirements. For detailed information on the processing of your data, please refer to the separate [data protection notices on our supplier page](#).

#### **4.11 WhatsApp as Contact Channel**

If you are using WhatsApp as a contact channel to us, please note the following.

The contact via WhatsApp is exclusively on your initiative. You have the opportunity to contact us on the following topics:

- To transmit intermediate meter readings of electricity and gas meters in 1:1 chat by sending a photo of the meter;
- To clarify the missing or incorrect contract data in order to
- to enable smooth supplier changeover;
- If you have any questions.
- 

Even if we know your phone number, we will not contact you through WhatsApp without your explicit consent (opt-in). If you contact us via WhatsApp, we will use WhatsApp as a contact channel to answer your inquiry within the scope of the contract with you or to initiate a contract. We expressly point this out with each channel input (Landingpage WhatsApp, etc.). Your personal data (in particular the telephone number, profile picture, status, data volume, your location and the meta data of the message) will be transferred to WhatsApp Ireland Limited in Ireland and WhatsApp Inc. in the USA in the course of using WhatsApp. The content of the message is not transmitted. For the transmission of your personal data to the USA, WhatsApp Inc. has submitted to the EU-US Privacy Shield: <https://www.privacyshield.gov/participant?id=a2zt0000000TSnwAAG&status=Active>

We, innogy SE, will store your data (received meter readings and the like), which we receive via WhatsApp, in our systems and keep them according to legal retention periods. As soon as the legal retention periods expire, we will delete your data from our systems. Communication data via WhatsApp will be deleted as soon as it is no longer necessary for the purpose for which it was collected and there are no legal archiving obligations to prevent deletion. The purpose is fulfilled when the respective conversation with you has ended (e.g. when it is clear from the circumstances that the matter in question has been finally clarified). We also expressly point out that the data stored at WhatsApp is stored and handled according to the standards of WhatsApp. If you wish to assert your rights of access, correction, deletion, revocation and data transferability against WhatsApp, please contact WhatsApp directly:

[Specific Privacy Notice to WhatsApp](#)

You are neither contractually nor legally obliged to provide us with your personal data. You provide us with your personal data voluntarily. If you do not wish to share personal information with us through WhatsApp, communication through WhatsApp as a contact channel is not possible. However, you will not suffer any legal disadvantages. You may

terminate WhatsApp communication at any time informally and with effect for the future by discontinuing contact with us via WhatsApp. Once a communication has been completed, we will not contact you unless you do so again.

#### [Specific data protection information about WhatsApp in the HR area](#)

### **4.12 PPA Plattform**

We offer our industrial customers a platform for Power Purchase Agreements (PPA) and a tool for initial calculations of savings potential based on your individual consumption data. The data that you can view, add or change via the registered area will be added to your customer master data (e.g. name, address) and processed by us." If data is transferred to third parties in the context of service provision, you will be informed in advance about the transfer of data. In the context of an inquiry, data (in particular names, contact data, prospective customer or customer number, telephone number, e-mail address and related product/service) may be forwarded to a company affiliated with Innogy SE according to § 15 f. of the German Stock Corporation Act (Aktiengesetz), which will process the personal data exclusively for your inquiry. In this case you will be informed in advance about the data transfer. This processing of your aforementioned data is necessary to protect the legitimate interests of innogy and is justified by a balancing of interests in favour of innogy. By using the PPA platform innogy can provide you with advice tailored to your needs. innogy also has a legitimate interest in processing your above mentioned data accordingly. Your legitimate interest that your above-mentioned data are not used for this purpose does not outweigh this legitimate interest of innogy as innogy uses these data appropriately according to the described processing purpose and you yourself decide whether you want to use the platform. The data collected exclusively for registration will be deleted if the registration is cancelled or modified.

### **4.13 Live Contract**

Innogy offers our business and industrial customers an online consulting tool that makes it possible to conduct consulting discussions and conclude contracts (with digital signature) online. By using Live Contract, innogy can provide customized and fast advice about products, services and services for the requesting company.

The data that you can view, add or change via the registered area (your company, your name, your address, your contact data, your bank details, other energy data necessary for energy supply, if provided by you or if they are necessary for the use of our products and services) will be added to the corresponding customer master data and processed.

In the context of an enquiry, data (in particular name, contact data, prospective customer or customer number, telephone number, e-mail address and product/service purchased) may, if necessary, be forwarded to a company affiliated with Innogy SE in accordance with § 15 f. of the German Stock Corporation Act (Aktiengesetz), which processes the personal data exclusively for your enquiry. In this case you will be informed in advance about the data transfer.

This processing of your aforementioned data is necessary to protect the legitimate interests of innogy and is justified by a balancing of interests in favour of innogy. By using Live Contract

innogy can provide you with a fast and tailor-made advice. innogy also has a legitimate interest in processing your above mentioned data accordingly. Your data will be used appropriately for the described processing purpose and the customer himself decides to use the platform. The data collected exclusively for registration will be deleted if the registration is cancelled or modified.

## **5. PURPOSES FOR WHICH YOUR DATA ARE COLLECTED AND PROCESSED AND THEIR LEGAL BASIS**

### **5.1 Contract execution**

innogy processes your personal data, i.e. your personal data and your billing data for the purpose of fulfilling the contract with you. The concrete processing depends on the respective products and the respective service you purchase from innogy (e.g. energy supplies, water, purchase of a PV system or a SmartHome or Smart/Meter product, other energy services). In particular, this includes the billing of contractual services, the sending of invoices, payment reminders and dunning letters, meter and meter reading requests, adjustments of installments, address and contact data clarifications as well as further communication with you in contractual matters. In addition, we use your contact data within the scope of measures to prevent fraudulent actions. The legal basis for the data processing described above is the processing for the fulfilment and execution of the contract. Without this data processing we cannot conclude and fulfil the contract. For the purpose of contract fulfilment, e.g. for billing purposes, processing of payment, for the purpose of determining your consumption and for sending letters, we also transfer your personal data and your billing data to third parties and processors (e.g. measuring point and network operators, dispatch service providers, collection service providers, call centres).

If you have merely been notified to us as a different invoice recipient, we will process your data exclusively for billing purposes for services rendered.

Communication in matters relating to the execution of the contract will generally take place by post or in the online customer portal "My innogy" if you have registered in this portal and agreed to communication via the portal. If you have provided us with an e-mail address, telephone number or mobile phone number, we will use this information for the rapid processing (e.g. by SMS) of the above-mentioned contract and invoice-related topics and within the scope of receivables management. The increasing user activity in direct communication channels indicates that this type of customer approach is expected.

### **5.2 Marketing**

If you have provided us with your contact details via the web shop or "my innogy", innogy will use your name and address to provide you with product information about the energy products of innogy, (e.g. energy generation, supply, energy efficiency, electric mobility and other energy-related products and services), and in future also inform you about the telecommunication products and services of der innogy (e.g. telephone and internet). In order to provide you with product information about innogy goods and services similar to

those you have already acquired or sourced from innogy as one of our existing customers, innogy will use the email address you have already provided, unless you have objected to this.

For the purpose of directing marketing offers to you, we give your name and address to third parties and contracted agencies (e.g. shipping companies or media agencies), who process that information in order to compile marketing material and send it to you.

This processing of your data as described above is required to safeguard the legitimate interests of innogy and is justified by balancing the respective interests in favour of innogy. Without using this data, innogy is unable to offer you any direct marketing. innogy also has a legitimate interest in processing the aforementioned personal data for the purpose of direct marketing of innogy products tailored to your needs; namely to promote the sale of its own products. Your justifiable interest that the aforementioned data is not used for this purpose does not outweigh the legitimate interest of innogy, since innogy uses the data appropriately in accordance with the described purpose and does not use any sensitive data from your customer relationship with innogy. In addition, this use of your personal data for marketing purposes is something you can reasonably expect to occur as a result of an existing contractual relationship or after expressing an interest in the products and services of innogy, so it cannot be assumed that any nuisance is caused by such direct marketing. Furthermore, innogy will only use your aforementioned personal data for direct marketing purposes if you have not objected to this.

Moreover innogy takes care to ensure the chosen communication channels for such marketing measures (letterbox and, in the case of our own marketing offers to existing customers, email) cause the least possible disturbance to you.

If you have agreed, innogy will transmit your e-mail address and your first and last name pseudonomically to social media networks (such as Google or Facebook) using a so-called hash value. These networks will then carry out an internal comparison with the user data available to them. If this comparison shows that you are registered in one of these social media networks, innogy advertisements will be displayed in the respective social network, e.g. through banners or other advertisements.

innogy will only process your data as specifically described in the declaration of consent with your prior informed consent. The legal basis for this processing is therefore your consent.

**You have the right to revoke your consent at any time with effect for the future without affecting the lawfulness of the processing carried out on the basis of your consent until revocation. The easiest way to revoke your consent is to send it to the above-mentioned contact details.**

### **5.3 Marketing for and by Third Parties**

If you have provided us with your contact details via the web shop or "my innogy", innogy will also use your name and address as part of our marketing approach in order to send you information about the products and services of third parties (e.g. companies within the E.ON Group or business partners offering similar products).

Such use of the information is justified by balancing the respective interests in favour of innogy. As already established, innogy has a legitimate interest in providing you with direct marketing offers. This includes direct marketing for products and services of third parties. Firstly, by sending you the marketing offers of third parties in conjunction with innogy's own marketing material, your interest in these products may also be heightened, which may lead to an increase in sales for both innogy and the third party. Secondly, innogy has a financial interest in giving third parties this opportunity to participate in the marketing process. As in the case of direct marketing of innogy's own products, your interest in ensuring your data is not used for these purposes of third-party marketing is deemed to be secondary; this is primarily justified by the minimal disturbance caused by such postal marketing and also by your right to object to the use of your data in this way.

If you have given us your prior consent, third parties will also direct their own products and services to you (see Section 7). In such cases, innogy will pass on the data covered by your consent (e.g. your contact details) to third parties such as solar power providers, so they are able to send you their offers for PV panels.

#### **5.4 Market Research and Opinion Polling**

If you have provided us with your contact details via the web shop or "my innogy", innogy will also pass on your name and address to market research and polling institutes to enable them to carry out relevant surveys. These market research and polling institutes are commissioned and instructed by innogy to carry out such work. The surveys provide us with an overview of the transparency and quality of our products, services and communication and have the ability to adjust or shape them accordingly in your best interest.

Such use of the information is justified by balancing the respective interests in favour of innogy. innogy has a legitimate interest in processing your data for the purpose of market research and opinion polling; namely to improve the products and services offered and thus promote the sale of our own products and in certain cases also the products of third parties. innogy is able to use the findings to gauge your acceptance and satisfaction with the products and services offered by innogy and also assess and analyse your particular interests so that, in the future, we can offer you products and services better tailored to your needs. The use of your data for market research and opinion polling purposes also constitutes a form of processing that can reasonably be expected to occur in conjunction with an existing contractual relationship or your expressed interest in the products and services of innogy. Your data will only be used for the above-named purposes, which – unless you have objected to them – are also in your own interest.

Should such market research or opinion polling be conducted by a method other than postal channels, it will only be carried out if you have given us your express consent to the use of your data for this purpose.

If you no longer wish to take part in customer surveys, you may revoke your consent via the contact details listed in Section 2.

## **6. DATA ANALYSIS (PROFILING)**

In order to be able to inform you about targeted products and services, i.e. as part of our direct marketing approach, we also use evaluation tools. innogy will analyse your personal data (e.g. billing data and consumption data) and augment this with publicly available and acquired sociodemographic data. The aim of doing so is to enable innogy to make an individual approach to you with customised offers of innogy products and services. The legal basis for this is a balancing of the respective interests in favour of innogy. innogy has a legitimate interest in addressing its marketing material in the most targeted manner and improving the products and services of both innogy and the companies within the E.ON Group, in order to promote the sale of its own products. Furthermore, innogy has a legitimate interest in avoiding the use of misdirected marketing material. This outweighs your legitimate interest in keeping your information private, since only marketing material likely to be of interest will be sent to you and you will be protected in this way from random or irrelevant approaches, and thus inconvenienced as little as possible by our marketing approach.

For the purpose of evaluating and analysing customer interests, your data, (such as your consumption data, product line and products of a similar kind), will be shared amongst the E.ON Group of companies (see Section 7) in anonymised or pseudonymised form and anonymised or, where technically impossible, forwarded in pseudonymised form to innogy partners offering similar products (for the general definition of innogy partners, see Section 7). Anonymised means that your personal data will be processed in such a way that you cannot or can no longer be identified. Pseudonymised means that your personal data cannot be traced back to you as the person concerned without the inclusion of additional information. That additional information is stored separately by innogy and subject to technical and organisational measures which ensure the data cannot be traced back to you by third parties.

This data analysis is carried out for the purpose of improving and developing intelligent and innovative products and services.

The forwarding and analysis of solely anonymised and pseudonymised data by other companies within the E.ON Group is also justified on the balance of respective interests in favour of innogy. It is within the legitimate interest of innogy to share general information about particular customer groups with other affiliated companies in order to improve its products and services. This data will only be conveyed in anonymised and pseudonymised form out of consideration for your privacy and to protect your interests. The findings obtained from this data analysis will only be used for the above-named purposes, which – unless you have objected to them – are also in your own interest. No other processing or forwarding of this data will occur.

## **7. RECIPIENTS OF YOUR PERSONAL DATA**

### **7.1 Third parties and contracted agencies**

Your personal data will also be used by other companies contracted to undertake work for innogy ("contracted agencies") or working with innogy under a business partnership ("third

parties"). This may include both companies within the E.ON Group ("E.ON Group companies") and external companies and partners ("innogy partners"). Possible recipients of your data include address list providers, insolvency companies, grid and network operators, meter operators, shipping providers, call centres, marketing and media agencies, market research institutes, social media companies, IT service providers, consultants or consultancy companies, logistics companies, service providers for local installations, accounting and billing providers, telephone customer service providers, companies involved in managing cookies and tracking pixels and other service and collaborative partners.

For more details, please refer to the detailed descriptions of data processing methods in this Data Protection Information.

The contracted agencies mentioned in this Data Protection Information have been commissioned by innogy SE to undertake the work and are obliged to observe the same data protection and data security standards as innogy SE. This obligation includes the stipulation that such service providers only receive the data required to carry out the contracted work in each case.

## **7.2 Recipients outside the European Union (EU)**

innogy has individual services and projects performed by carefully selected and contracted service providers based outside the European Economic Area ("non-member countries"), e.g. IT service providers, market research and polling institutes or social media companies. In such cases, information is transferred to a non-EU-member country. Where legally required to do, and in order to provide an adequate level of protection for your data, innogy uses guarantees in accordance with such statutory requirements in order to create an adequate level of data protection. This includes EU standard contracts, amongst other things. You have the opportunity to demand further information at any time or have copies of the relevant agreements made available to you.

## **8. YOUR RIGHTS**

In accordance with the relevant statutory provisions, (including any applicable restrictions arising from the GDPR (the EU General Data Protection Regulation) and/or the new version of the BDSG (Federal Data Protection Act), you have the opportunity to exercise the following rights:

### **8.1 Information**

For instance, you have the right to receive information from us about any personal data stored by us.

### **8.2 Correction**

At your request, we will correct any of your stored data if it is inaccurate or inapplicable.

### **8.3 Erasure**

If you wish, we will delete your data, provided there are no other legal requirements (e.g. statutory retention obligations) or an overriding interest on our part (e.g. to defend our rights and claims) that would prevent its erasure.

#### **8.4 Limitation**

With due consideration for any legal requirements, you have the right to set limits to the processing of your data.

#### **8.5 Data transmission**

You also have the right under statutory provisions to receive or transmit your data to third parties in a structured, accessible and machine-readable format.

#### **8.6 Complaints**

Furthermore, you have the right to lodge a complaint with a data protection supervisory authority. In the first instance, you are welcome to consult our data protection officer.

#### **8.7 Withdrawal**

If you have given us a separate consent for the processing of your personal data, you can revoke them at any time. The legality of the processing of your data until the revocation remains unaffected by a revocation.

#### **8.8 Objection**

Moreover, you are entitled to lodge an objection to the processing of your data (for further information, refer to the box below).

If you wish to exercise any of these rights, you can contact us by using the contact details provided in Section 2.

#### **Information about your right to object**

You have the right to object at any time to processing of your data which occurs as the result of a balancing of interests, if there are grounds for objection arising from your particular situation. This also applies to any profiling based on this provision.

If you lodge an objection, your personal data will no longer be processed unless we can show evidence of compelling, legitimate reasons for processing it which outweigh your interests, rights and freedoms, or if processing the information serves to assert, exercise or defend rights or legal claims.

We also process your personal data to conduct direct marketing. If you do not wish to receive any marketing material, you have the right to object to this at any time; this also applies to any profiling conducted in relation to direct marketing. We will then respect your wishes in any future marketing action.

Your objection can be made informally and should ideally be lodged with:

innogy SE, Opernplatz 1, 45128 Essen, T 0800 9944009, F 0800 9944099, Email kundenservice@innogy.com