

We refer to Real Simple Energy LLC and its affiliates as “RSE” in this Privacy Policy.

We respect your privacy. This privacy policy (“Privacy Policy”) relates to the information collection and use practices of RSE in connection with our online services (collectively, the “Services”). Our Services are available to you through a variety of platforms, including, but not limited to, [www.realsimpleenergy.com](http://www.realsimpleenergy.com) (the “Site”).

## **Description of Users and Acceptance of Terms**

This Privacy Policy applies to visitors to the Site, who view only publicly-available content (the “Visitors”) and customers who have signed up to access and use the Services offered by RSE through the Site (the “Customers”).

By visiting the Site and/or browsing the publicly accessible areas of the Site, Visitors are acknowledging that they have read, understood, and agree to be legally bound by this Privacy Policy and our Terms of Use (the “Terms of Use”), which are hereby incorporated into this Privacy Policy and made a part hereof by reference (collectively, the “Agreement”). If you do not agree to any of the terms in the Agreement, you may not access or use the Site.

By signing up, accessing, and/or using our Services, each Customer is agreeing to the terms of this Privacy Policy and the applicable customer agreements (the “Customer Agreements”).

## **Information We Collect/Receive**

In the course of operating the Site and providing the Services, we collect and/or receive the following types of information:

### **1. Personal Information**

When you register to become a Customer, you will be asked to provide certain information such as, your name, date of birth, social security number, home address, telephone number, e-mail address, credit card or ACH payment information, current retail electricity provider, and ESI ID# (collectively, the “Personal Information”).

### **2. Nonpublic Personal Information**

When you register to become a Customer, we will also collect your nonpublic personal information which means (i) any information you provide to us to obtain a service from us and (ii) any information we otherwise obtain about you in connection with providing a service to you (collectively, the “NPI”). NPI is a subset of Personal Information and shall be considered Personal Information under this Privacy Policy.

### **3. Energy Usage Information**

When you register as a Customer, you will be asked to provide information about your residence or business location and energy usage habits. (collectively, the “Energy Usage Information”).

#### 4. Credit & Debit Card Information

Certain features of the Services will allow you to link your credit card, debit card, and bank accounts to your RSE account by providing your account number, billing address and similar information (the “Credit & Debit Card Information”).

#### 5. Geolocational Information

Certain features and functionalities of the Services are based on your location. In order to provide these features and functionalities while you are using a mobile device, we may, with your consent, automatically collect geolocational information from your mobile device or wireless carrier and/or certain third-party service providers. Such information is collectively called the “Geolocational Information.” Collection of such Geolocational Information occurs only when the Site is running on your mobile device. You may decline to allow us to collect such Geolocational Information, in which case RSE may not be able to provide certain features or functionalities to you.

#### 6. Other Information.

We may automatically collect or receive additional information regarding you and your use of our Site, your interactions with us and our advertising, as well as information regarding your computer or other devices used to access our Site (collectively, the “Other Information”). Such Other Information may include:

##### From Your Activity -

IP address, which may consist of a static or dynamic IP address and will sometimes point to a specific identifiable computer or device;  
Browser type and language;  
Referring and exit pages and URLs;  
Date and time;  
Details regarding your activity on the Site, such as search queries and other performance and usage data.

##### About Your Device -

Type of device;  
Advertising Identifier (“IDFA” or “AdID”);  
Operating system and version (e.g., iOS, Android or Windows);  
Carrier; and  
Network type (WiFi, 3G, 4G, LTE).

##### From Cookies, Web Beacons, and Other Similar Techniques

In operating the Site, we may also use data collection tools such as web beacons, pixel tags, embedded links, cookies, and other similar techniques. A cookie is a piece of information that the computer that hosts our Site gives to your browser when you access the Site. Our cookies help provide additional functionality to the Site and help us analyze the Site usage more accurately. For instance, our Site may set a cookie on your browser that allows you to access the Site without needing to remember and then enter a password more than once during a visit to the Site. In all cases in which we use cookies, we will not collect Personal Information except with your permission. On most web browsers, you will find a “help” section on the toolbar. Please refer to this section for information on how to receive notification when you are receiving a new cookie and how to turn cookies off. If you do not want RSE to place cookies in your browser, you can opt out by setting your browser to reject cookies or to

notify you when a website tries to put a cookie in your browser software. If you choose to disable cookies in your browser, you can still use the Site, although your ability to use some of the features may be affected.

### Third-Party Analytics

We may use third-party analytics services (such as Google Analytics, Mix Panel, and others) to evaluate your use of the Site, compile reports on activity, analyze performance metrics, and collect and evaluate other information relating to the Site and mobile and Internet usage. These third parties use cookies and other technologies to help analyze and provide us the data. You consent to the processing of data about you by these analytics providers in the manner and for the purposes set out in this Privacy Policy.

For more information on these third parties, including how to opt out from certain data collection, please visit the sites below. Please be advised that if you opt out of any service, you may not be able to use the full functionality of the Site.

For Google Analytics, please visit <https://www.google.com/analytics>

For Mixpanel, please visit <https://mixpanel.com/privacy/>

### Surveys

We may, from time to time, ask you to participate in surveys on our Site. Participation in these surveys is completely voluntary. These surveys may be conducted by our third-party service providers. Such third-party service providers are authorized to use your information only as necessary to provide these services to us. We will use survey results to continue to improve the Site and the Services. We will use your personal information from our surveys to send you information about our products and services and about third-party products and services. We may combine your survey information with other data we have about you. We may also anonymize and aggregate the survey information and sell it to third parties.

### The Information Collected/Received from Third-Party Sources

We may also collect Personal Information and information about your transactions with us and those you engage in with our affiliates, unaffiliated third parties, banking verification services and information from consumer reporting agencies. We may further collect information about you from third-party data sources, such as Smart Meter Texas, retail energy providers, and government databases, and combine it with data we collect from you. All information we collect and/or receive from such third-party sources is collectively referred to as "Third-Party Information."

### The Information Collected by or Through Third-Party Advertising Companies

We may share Other Information about you with third parties that RSE has selected and approved for ad distribution and ad optimization (defined as the tailoring, targeting (i.e., behavioral, contextual, and retargeting), analyzing, managing, reporting, and optimizing of ads). These third parties may use cookies, pixel tags (also called web beacons or clear gifs), and/or other technologies to collect Other Information for such purposes. Pixel tags enable us and these third-party advertising companies to recognize a browser's cookie when a browser visits the site on which the pixel tag is located in order to learn which advertisement brings a user to a given site. In addition, we may receive Other Information from advertisers and/or their service providers such as advertising identifiers, IP addresses, and post-conversion data. You may choose to opt-out of this type of tracking and sharing of information at any time by selecting the specific partners you wish to exclude from this website <http://www.aboutads.info/choices>. You can also limit this type of tracking through the Do Not Track functionality in your web browser and a "Limit Ad Tracking" setting on iOS devices or a setting to

“Opt out of Interest-Based Ads” on Android. We do not respond to Do Not Track requests made directly to us.

### **How the Information is Used and Shared**

You authorize us to use the Credit & Debit Card Information to track your purchases, match your purchases with the other information we have about you and provide suggestions to you about potential trade recommendations, saving money, and other financial services and offers that we believe may help you.

You authorize us to use the Personal Information, the Energy Usage Information, the Transaction Information, the Geolocational Information, the Third-Party Information, and the Other Information (collectively, the “Information”) to provide and improve our Site and Services; to help us improve the content and functionality of our Site and Services; to advise you about your energy usage and billing; to solicit your feedback; and to inform you about our products and services and those of third parties.

You also authorize us to use and/or share Information as described below.

We will access, use, and share the Information as required to fulfill our contractual obligations to you or subsequent requests for support by you. This may include sharing Information with energy providers to find you various deals or to act as your agent when it comes to selecting an energy provider.

RSE, like many businesses, sometimes hires other companies to perform certain business-related functions on our behalf. Examples of such functions include website hosting, mailing information, maintaining databases, ID verification, marketing, processing applications, processing payments and completing transactions. When we employ another company to perform a function of this nature, we only provide it with the information that it needs to perform its specific function. These companies are authorized to use your Information only as necessary to provide these services to us.

As we develop our businesses, we might sell or buy businesses or assets. In the event of a corporate sale, merger, reorganization, sale of assets, dissolution, or similar event, the Information may be part of the transferred assets and you will be notified via email and/or a prominent notice on our Site of any change in ownership or uses of your Personal Information, as well as any choices you may have regarding your Personal Information.

In an ongoing effort to better understand our users, the Site, the Services, and the products and services of RSE, we may analyze certain Information to compile information about our customer demographics, interests and behaviors and to create data analytics on an aggregate basis. This aggregate information does not identify you personally. We may share this aggregate information with our affiliates, agents, business partners, and other third parties. We may also disclose aggregated user statistics in order to describe the Site, the Services and our products and services to current and prospective business partners and investors and to other third parties for other lawful purposes.

RSE may disclose your Information if required to do so by law or in the good faith belief that such action is necessary to (i) comply with a legal obligation, (ii) protect and defend the rights or property of RSE, (iii) act in urgent circumstances to protect the personal safety of users of the Site or the public against fraud or other harm, or (iv) protect against legal liability.

We may share your Information with third parties, including but not limited to third-party market research firms for analysis purposes and to help such third parties generate market research data for us which will not identify you personally. Such third parties will provide us market research data to help us better segment our customer base and understand what products and services would likely work best for our customers. If you would like to opt-out of Real Simple Energy LLC's sharing of your Information with such third parties, please contact us at [privacy@realsimpleenergy.com](mailto:privacy@realsimpleenergy.com).

We will use your Information for our internal business purposes, including but not limited to, creating user state modeling and comprehensive behavioral profiling.

If RSE intends on using your Personal Information in any manner that is not consistent with this Privacy Policy, you will be informed of such anticipated use prior to or at the time at which the Personal Information is collected.

### **Sharing of Your Information with Non-affiliated Third Parties**

We will not share your Information with non-affiliated third parties that may use your Information to market to you, without obtaining your opt-in consent. For example, we may offer you with a product opportunity that requires us to share your Information with non-affiliated third parties that may use your Information to market to you. We will obtain your opt-in consent to such sharing of your Information when we present you with the terms of such offer.

If you have opted-in for this kind of sharing of your Information, then you may: (i) choose to opt-out of such sharing by contacting us at [privacy@realsimpleenergy.com](mailto:privacy@realsimpleenergy.com); or (ii) request certain information regarding our disclosure of your Information to such non-affiliated third parties by contacting us at [privacy@realsimpleenergy.com](mailto:privacy@realsimpleenergy.com).

### **Anonymous Information**

This Privacy Policy does not limit our use or disclosure of any information about you that does not allow a reasonable person to personally identify you ("Anonymous Information") in any way, and we reserve the right to use and disclose Anonymous Information to our partners, advertisers and other third parties in our absolute discretion.

### **Your Choices**

If you would like to opt-out of Real Simple Energy LLC's sharing of your Information with its affiliates' so that the affiliates' can use your Information to market to you, please contact us at [privacy@realsimpleenergy.com](mailto:privacy@realsimpleenergy.com).

If you would like to opt-out of Real Simple Energy LLC's sharing of information about your creditworthiness with its affiliates' for the affiliates' everyday business purposes, please contact us at [privacy@realsimpleenergy.com](mailto:privacy@realsimpleenergy.com).

### **Accessing and Modifying Information and Communication Preferences**

If you have provided us any Personal Information, you may access, remove, review, and/or make changes, by making the change in your registered account settings page, by emailing our Customer Support at [support@realsimpleenergy.com](mailto:support@realsimpleenergy.com) or by contacting us at the contact information listed below. We will respond to your request to access within 30 days.

When you sign up for our Services or newsletter(s), we will send periodic emails to you regarding the Services or to tell you about services we believe will be of interest to you.

If at any time you wish not to receive any future newsletters or marketing communications or you wish to have your name deleted from our mailing lists, please following the unsubscribe instructions included in these emails or can contact us at [privacy@realsimpleenergy.com](mailto:privacy@realsimpleenergy.com). We will use commercially reasonable efforts to process such requests in a timely manner. You should be aware, however, that it is not always possible to completely remove or modify information in our subscription databases. Note however that as a user of the Services we and/or our custodian(s) will send you administrative and transactional communications that are reasonably necessary to the Services, such as billing or service notifications and you cannot opt out of receiving such communications.

We may also deliver notifications to your phone or mobile device. You can disable these notifications by deleting the relevant service or by changing the settings on your mobile device.

### **How We Protect Your Information**

The security of your Information is important to us. When you enter sensitive information (such as bank account information) in our Site, we encrypt the transmission of that information using secure socket layer technology (SSL). We and our custodian also use third party ID verification to ensure our users' true identities are validated.

We take commercially reasonable steps to protect the Information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Please understand, however, that no security system is impenetrable. We cannot guarantee the security of our databases or the databases of the third parties with which we may share such Information, nor can we guarantee that the Information you supply will not be intercepted while being transmitted over the Internet. In particular, e-mail sent to us may not be secure, and you should therefore take special care in deciding what information you send to us via e-mail. If you have any questions about security on our website, you can contact us at [support@realsimpleenergy.com](mailto:support@realsimpleenergy.com).

### **Exclusions**

This Privacy Policy does not apply to any Personal Data collected by RSE other than Personal Data collected through the Site, App or Services. This Privacy Policy shall not apply to any unsolicited information you provide to RSE through this Site, or through any other means. This includes, but is not limited to, information posted to any public areas of the Site (collectively, "Public Areas"), any ideas for new products or modifications to existing products, and other unsolicited submissions (collectively, "Unsolicited Information"). All Unsolicited Information shall be deemed to be non-confidential and RSE shall be free to reproduce, use, disclose, distribute and exploit such Unsolicited Information without limitation or attribution.

### **Suspicious Email**

We do not email you or send you other electronic communications to request nonpublic information or account information (such as username and password). If you receive an unsolicited email or other electronic communication that appears to be from RSE but you suspect it may be from some other source or fraudulent, please email us at [support@realsimpleenergy.com](mailto:support@realsimpleenergy.com).

## **Children**

RSE does not knowingly collect or receive Personal Information from children under the age of 13 through the Site and/or the Services. If you are under the age of 13, please do not provide any Personal Information through the Site and/or the Services. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce this Privacy Policy by instructing their children to never provide any Personal Information on the Site, the Services, or any other web site without their permission. If you have reason to believe that a child under the age of 13 has provided Personal Information to RSE through the Site and/or the Services, please contact us at support@realsimpleenergy.com, and we will endeavor to delete that information from our databases.

## **Links to Other Websites**

This Privacy Policy applies only to the Site. The Site may contain links to other websites or services not operated or controlled by RSE (the "Third-Party Sites"). The policies and procedures we describe here do not apply to the Third-Party Sites. The links from the Site do not imply that RSE endorses or has reviewed the Third-Party Sites. We suggest contacting those sites directly for information on their privacy policies.

## **Important Notices to Non-U.S. Residents**

The Site, the Services and their servers are operated in the United States. Please be aware that your Information may be transferred to, processed, maintained, and used on computers, servers, and systems located outside of your state, province, country, or other governmental jurisdiction where the privacy laws may not be as protective as those in your country of origin. If you are located outside the United States and choose to use the Site and/or the Services, you do so at your own risk.

## **Former Customers**

If your customer relationship with RSE ends, we will not destroy your Information unless required or permitted by law. We will continue to treat your Personal Information in accordance with this Privacy Notice and applicable laws.

## **Changes to RSE's Privacy Policy**

We may update this Privacy Policy to reflect changes to our information practices. If we make any material changes to this Privacy Policy we will notify you by email (sent to the email address specified in your account) or by means of a notice on the Site prior to the change becoming effective. By visiting and/or using the Site after we make any such changes to this Privacy Policy, you are deemed to have accepted such changes. Please be aware that, to the extent permitted by applicable law, our use of the Information is governed by the Privacy Policy in effect at the time we use the Information. We encourage you to periodically review this page for the latest information on our privacy practices.

## **Contacting Real Simple Energy LLC**

Please feel free to contact us if you have any questions about RSE's Privacy Policy or our information practices:

Email: [support@realsimpleenergy.com](mailto:support@realsimpleenergy.com)  
Phone:

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2211 Norfolk  
Suite 215  
Houston, TX 77098