

SPARK HOLDCO, LLC WEBSITE PRIVACY POLICY

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Spark Holdco, LLC and its affiliates Spark Energy, LLC, Spark Energy Gas, LLC, CenStar Energy Corp., CenStar Operating Company, LLC, Oasis Power Holdings, LLC, Oasis Power, LLC, Electricity Maine, LLC, Electricity N.H., LLC, Provider Power Mass, LLC, Major Energy Services, LLC, Major Energy Electric Services, LLC, Respond Power, LLC, Perigee Energy, LLC, Hiko Energy, LLC, Verde Energy USA, Inc., Verde Energy USA Connecticut, LLC, Verde Energy USA DC, LLC, Verde Energy USA Illinois, LLC, Verde Energy USA Maryland, LLC, Verde Energy USA Massachusetts, LLC, Verde Energy USA New Jersey, LLC, Verde Energy USA New York, LLC, Verde Energy USA Ohio, LLC, Verde Energy USA Pennsylvania, LLC, Verde Energy Solutions, LLC, Verde Energy USA Commodities, LLC, Verde Energy USA Trading, LLC, Verde Energy USA Texas Holdings, LLC, Verde Energy USA Texas, LLC, Via Energy Solutions, LLC and Via Renewables, Inc, (collectively “us,”

“we,” “our,” or “Company”) have created the following Privacy Policy to apply to all users and customers of this website, mobile applications, and all digital assets contained or offered therein (collectively, our “Services”). This Privacy Policy describes, among other things, the types of information we collect about you when you visit and use our Website, how we use it, and how you can access your information.

This Privacy Policy is integrated into our Terms & Conditions of Use (“Terms & Conditions”).

I. INFORMATION WE COLLECT ABOUT YOU

We may collect the following types of information about you which are described in more detail below: (A) information you provide to us, (B) information we may automatically collect, and (C) information we may receive from third parties. All of the information listed in (A)-(C) above, are detailed below, and hereinafter referred to as “Information.”

A. Information You Provide to Us

In using our Services, you may provide us with Information, including, without limitation:

- Contact and identification information, such as name, address, telephone number, e-mail address, fax number, utility account information, date and place of birth, mother’s maiden name, credit information, social security number and driver’s license or other identification number;
- Product and service-related information provided as part of the enrollment process, such as information on your energy needs and use (i.e. characteristics about your home, family size, etc.);
- Credit and financial information such as billing and credit history or payment history and employment and income information;
- Account information including but not limited to your log in credentials and unique identifiers such as username and password, product type, product fees, product term, customer type and other preferences relating to your account services;
- Customer relationship information, such as customer service requests;
- Business relationship information; and
- Additional information as otherwise described to you at the point of collection or pursuant to your consent.

B. Information We May Automatically Collect About You:

Our Services may automatically collect certain Information about you. We use this Information to help us design our Services to better suit our users’ needs. This Information may include:

- IP address, which is the number associated with the service through which you access the Internet, like your ISP (Internet service provider), or your company;
- Date and time of your visit or use of our Services;
- Domain server from which you are using our Services;
- Type of computer, web browsers, search engine used, operating system, or platform you use;

- Data identifying the web pages you visited prior to and after visiting our website or use of our Services;
- Your movement and activity within the website, which is aggregated with other information;
- Geo-location information through the use of any of our mobile applications;
- Mobile device information, including the type of device you use, operating system version, and the device identifier (or “UDID”); and
- Mobile application identification and behavior, use, and aggregated usage, performance data, and where the application was downloaded from.

1. Cookies & Technologies Used to Collect Information About You

We collect the above Information directly and through the use of third parties. We collect this Information by using certain technologies, such as cookies, web beacons, and other technologies. Third-party service providers, advertisers, and/or partners may also view, edit, or set their own cookies or place web beacons. The use of these technologies by such third parties is subject to their own privacy policies and is not covered by this Privacy Policy, except as required by law.

- a. Cookies (or browser cookies). A cookie is a small file placed on the hard drive of your computer. Most web browsers automatically accept cookies. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Services. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our website.
- b. Web Beacons. Website pages may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit us, for example, to count users who have visited those pages and for other related statistics (for example, recording the popularity of certain content and verifying system and server integrity). We also use these technical methods to analyze the traffic patterns, such as the frequency with which our users visit various parts of the Services. These technical methods may involve the transmission of Information either directly to us or to a third party authorized by us to collect Information on our behalf. Our Services use retargeting pixels from Google, Facebook and other ad networks. We also use web beacons in HTML emails that we send to determine whether the recipients have opened those emails and/or clicked on links in those emails.
- c. Mobile Device Identifiers. Certain mobile service providers uniquely identify mobile devices and we, our Partners or our third-party service providers with whom we contract may receive such device information if you access the Website through a mobile device. Certain features on the Website may require collection of mobile phone numbers and we may associate that phone number to mobile device identification information. Additionally, some mobile service providers operate systems that pinpoint the physical location of devices that use their services.

Depending on the provider, we, our Partners or our third party service providers may receive this Information.

- d. Embedded Scripts. An embedded script is programming code designed to collect Information about your use of the Website, such as the links you click on. The code is temporarily downloaded to your computer from our web server or a third party provider, is active only while you are connected to the Website and is deactivated or deleted once you leave the Website.
- e. Analytics. Analytics are tools we use, such as Google Analytics, to help provide us with information about traffic to our website and use of our Services, which Google may share with other services and websites who use the collected data to contextualize and personalize the ads of its own advertising network.

C. Information We May Receive from Third Parties

We may collect additional Information about you from third-party websites, social media platforms, such as, but not limited, to Facebook, Twitter, Instagram, Pinterest, YouTube (“Social Media Platforms”), and/or sources providing publicly-available information (e.g., from the U.S. postal service) to help us provide services to you, help prevent fraud, and for marketing and advertising purposes.

Information we may access about you, with your consent, may include, but is not limited to, your basic Social Media Platform information, your location data, your list of contacts, friends or followers and certain information about your activities on the Social Media Platform. Please keep in mind that when you provide Information to us on a third-party website or platform (for example, via our applications), the Information you provide may be separately collected by the third-party website or the Social Media Platform.

The Information we collect is covered by this Privacy Policy, and the Information the third-party website or Social Media Platform collects is subject to the third-party website or platform’s privacy practices. We encourage you to be aware when you leave our sites or applications and to read the privacy policies of other sites that may collect your Information.

II. HOW WE USE YOUR INFORMATION

A. Use and Purpose of Processing Your Information

We use and process your Information for things that may include, but are not limited to, the following:

- Enroll you for products or services that you select;
- Provide you with information you request on available rates and services available in your area;
- Provide you with the Services, related products, and information you request from Us;
- To process your profile to enroll you for services;
- To fulfill and manage purchase, orders, programs, payments, and returns/exchanges;

- To respond to your inquiries and provide you with requested information and other communications, including by email or text messages, and including alerts, notification of promotions and/or special sales;
- For general or targeted marketing and advertising purposes, including sending you promotional material or special offers on our behalf or on behalf of our marketing partners and/or their respective affiliates and subsidiaries and other third parties, provided that you have not already opted-out of receiving such communications;
- To fulfill contracts we have with you;
- To manage, improve and foster relationships with third-party service providers, including vendors, suppliers, and parents, affiliates, subsidiaries, and business partners;
- Maintain, improve, customize, or administer the Services, perform business analyses, or other internal purposes to improve the quality of our business, the Services, resolve technical problems, or improve security or develop other products and services;
- To improve our Services and resolve any technical problems;
- Analyze the use of the Services and Information about visitors to our website to understand and improve our offerings and, in accordance with our sharing policies discussed below, to produce anonymous or aggregated data and statistics that might help third parties develop their own products and service offerings;
- To customize the content you see when you visit the website, including to develop and provide advertising tailored to your interests;
- Comply with our Terms & Conditions;
- Analytics for business purposes and business intelligence;
- Comply with any applicable laws and regulations and respond to lawful requests; and/or
- For any other purposes disclosed to you at the time we collect your Information and/or pursuant to your consent.

B. Sharing Your Information

We may disclose anonymized aggregated information about our users, that does not identify any individual, without any restriction.

We may share your Information as set forth in the Privacy Policy and in the following circumstances:

- **Third-Party Service Providers.** We may share your Information with third-party service providers that perform certain functions or services on our behalf or for our Business purposes. This includes, but is not limited to, service providers that host the Services, fulfill orders, provide products and services, manage databases, perform analyses, process credit card payments, provide customer service, or send communications for us concerning our business or your account). These third-party service providers are authorized to use your Information only as necessary to provide these services to us. In some instances, we may aggregate Information we collect so third parties do not have access to your particular Information to identify you individually.

- **Disclosure of Information for Legal and Administrative Reasons.** We may disclose your Information without notice: (i) when required by law or to comply with a court order, subpoena, search warrant, or other legal process; (ii) to cooperate or undertake an internal or external investigation or audit; (iii) to comply with legal, regulatory or administrative requirements of governmental authorities (including, without limitation, requests from the governmental agency authorities to view your Information); (iv) to protect and defend the rights, property or safety of us, our subsidiaries and affiliates and any of their officers, directors, employees, attorneys, agents, contractors and partners, and the website Service users; (v) to enforce or apply our Terms & Conditions; and (vi) to verify the identity of the user of our Services.
- **Business Transfers.** Your Information may be transferred, sold or otherwise conveyed (“Conveyed”) to a third party where we: (i) merge with or are acquired by another business entity; (ii) sell all or substantially all of our assets; (iii) are adjudicated bankrupt; or (iv) are liquidated or otherwise reorganize. You agree to any and all such Conveyances of your Information.
- **Information Shared with our Subsidiaries and Affiliates.** We may share your Information with our subsidiaries and affiliates who share common branding with us. If you do not want us to share your Information with our subsidiaries and affiliates, you may request to be added to our Do Not Contact list by clicking here.
- **Online Communications.** We may decide to allow users to voluntarily share comments, participate in surveys or contents, complete a product review, provide testimonials or other information. If you choose to subject such information to us, the information that you submit may be available generally to the public and will not be returned to you unless we receive such a request. Information that you provide in these areas may be read, collected, and used by others who access them.
- **With Your Consent.** We may share Information consistent with this Privacy Policy with your consent.

III. LINKS TO OTHER WEBSITES

Our Services may contain links to other websites or social media features which are provided as a convenience, such as Facebook, Instagram, Pinterest, Twitter or YouTube. We are not responsible for the privacy and security practices of those websites or the information they may collect (which may include IP address). You should contact such third parties directly to determine their respective privacy policies. Links to any other party’s website or content do not constitute or imply an endorsement or recommendation by us of the linked website or content.

IV. INFORMATION SECURITY

We use commercially reasonable measures to provide our Services. However, you should assume that no data transmitted over the Internet or stored or maintained by us or our third-party service providers can be 100% secure. Therefore, although we believe the measures implemented by us reduce the likelihood of security problems to a level appropriate to the type of data involved, we

do not promise or guarantee, and you should not expect, that your Information or private communications will always remain private or secure. We do not guarantee that your Information will not be misused by third parties. We are not responsible for the circumvention of any privacy settings or security features. You agree that we will not have any liability for misuse, access, acquisition, deletion, or disclosure of your Information.

If you believe that your Information has been accessed or acquired by an unauthorized person, you shall promptly [Contact Us](#) so that necessary measures can quickly be taken.

V. DATA RETENTION

We will retain, use, and store your Information for as long as needed to comply with our business requirements or objectives, to comply with our legal obligations, resolve legal disputes, enforce our agreements, or as long as permitted or required by law. If you wish to be added to our Do Not Contact us list, please click [here](#) or see our [Contact Us](#) section. In accordance with our routine record keeping, we may delete certain records that contain Information you have submitted to us. We are under no obligation to store such Information indefinitely and disclaim any liability arising out of, or related to, the destruction of such Information.

VI. HOW WE WILL CONTACT YOU

You agree that we, our affiliates, and/or third-party service providers with whom we collaborate and contract, may communicate with you regarding our Services via electronic messages, including email, text message, or mobile push notification to, for example, send you information relating to our products and Services that we think may be of interest to you, communicate with you about contests, sweepstakes, offers, promotions, sales, specials, upcoming events, and other news about products and services provided by or through us through permissible targeted advertisements offered by us, our parent companies, our subsidiaries, our affiliates, and other business partners. See [Your Choices](#), below, for how you can update the way we contact you.

VII. YOUR CHOICES

- A. Email.** By using our Services, you agree that we may contact you by email as set forth herein. If you do not want to receive marketing and promotional emails from us, you may click on the “unsubscribe” link in the email to unsubscribe and opt-out of future marketing email communications or [How to Contact Us](#).
- B. Mobile Push Notifications.** By using our Services, you agree that we may contact you by calling or sending messages to your phone. You can use the settings on your mobile device to enable or turn off mobile push notifications from us or [How to Contact Us](#).
- C. Text Messages.** By using our Services, you agree to be reached by text message. If you no longer want to receive text messages from us, reply **STOP** (or as otherwise instructed) in the text message or [How to Contact Us](#).
- D. Location Choices.** You can change the privacy settings of your device at any time to turn off the sharing of location information with our Services. If you choose to turn off location services, this could affect certain features or services of our Services. If you

have specific questions about the privacy settings of your device, we suggest you contact the manufacturer of your device or your mobile service provider for help.

E. Opting Out of Direct Marketing. To exercise choices regarding the marketing information you receive, you may also review the following links:

- a. You may opt-out of tracking and receiving tailored advertisements on your mobile device by some mobile advertising companies and other similar entities by downloading the App Choices app at www.aboutads.info/appchoices.
- b. You may opt-out of receiving permissible targeted advertisements by using the NAI Opt-out tool available at <http://optout.networkadvertising.org/?c=1> or visiting About Ads at <http://optout.aboutads.info>.
- c. You can opt-out of having your activity on our Services made available to Google Analytics by installing the Google Analytics opt-out add-on for your web browser by visiting: <https://tools.google.com/dlpage/gaoptout> for your web browser.
- d. Some users engage a Do Not Track (DNT) setting to indicate a preference regarding tracking by advertisers and other parties. We do not respond to DNT signals.

VIII. ACCESSING, CORRECTING, OR DELETING YOUR INFORMATION

Upon request as set forth below and subject to certain exceptions and limitations and applicable laws, we will inform you of the existence, use and disclosure of your Information and will provide you access to that Information. To the extent other state laws provide users with additional data subject rights, those rights may be honored by the company following proper authentication and verification.

We encourage you to review, update, and correct Information that we maintain about you, and you may request that we delete Information about you that is inaccurate, incomplete, or irrelevant. We may not accommodate a request to change Information if we believe the change would violate applicable law in our control.

To access, correct, or delete your Information or request to be added to our Do Not Contact list, contact us at:

Email: privacy@sparkenergy.com

Call: 1-866-201-4035

If you have a Spark Energy account, you may also update your account information under “My Account.”

Write: Spark Energy, LLC
12140 Wickchester Lane, Ste. 100, Houston, TX 77079
Attention: Marketing

IX. NOTICE TO CALIFORNIA RESIDENTS

To the extent any California data privacy law applies, we will provide California residents with certain information upon request (“Data Subject Request”). This Privacy Policy outlines how California residents can receive the information and what you can receive.

If you would like to submit a Data Subject Request, you can complete one online at [\[organization\].\[topleveldomainname\]/\[pagename\]](#). You can also call us, toll-free, at 1-866-201-4035. If you complete our online form, it must be completed accurately and completely before we can respond. If you choose to submit a Data Subject Request, you must provide us with enough information to identify you and enough specificity on the requested data. We will only use the information we receive for verification. We will not be able to disclose information if it cannot verify that the person making the Data Subject Request is the person about whom we collected Information, or someone authorized to act on such person’s behalf.

If you are a California resident, you may submit a Data Subject Request to receive information about our data collection practices as it relates to your data. By submitting this request, you are declaring that you are a California resident availing yourself of the rights afforded to you under the California Consumer Privacy Act (CCPA).

You may request information on the categories of personal information (as defined by California law) we have collected about you; the categories of data collection sources; any business or commercial purpose for collecting or selling personal information; the categories of third parties with whom we share personal information, if any; and the specific pieces of personal information we have collected about you. If you would like to also receive information about our data disclosure for business purposes, then please include that in the Data Subject Request. We will clarify whether the Information was collected and disclosed or simply collected and kept internally.

California residents may also utilize the "Do Not Sell My Personal Information" hyperlink located on our website to facilitate their opt-out of the sale of certain personal information.

Please note that the categories of personal information and sources will not exceed what is contained in this Privacy Policy. Additionally, we are not required to retain any information about you if it is only used for a one-time transaction and would not be maintained in the ordinary course of business. We are also not required to reidentify personal information if it is not stored in that manner already, nor is it required to provide the personal information to you more than twice in a twelve-month period.

You may request that we delete your personal information. Your deletion request should be submitted through a Data Subject Request. Subject to certain exceptions set out below we will, on receipt of a verifiable Data Subject Request, delete your personal information from our records and direct any service providers to do the same.

Please note that we may not delete your personal information if it is necessary to:

- complete the transaction for which the personal information was collected;

- provide a good or service requested by you, or reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform a contract between you and us;
- detect security incidents, protect against malicious, deceptive activity, and take all necessary and appropriate steps to mitigate current and future risk;
- debug and repair internal information technology as necessary;
- undertake internal research for technological development and demonstration;
- exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law;
- comply with the California Electronic Communications Privacy Act;
- engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when our deletion of the Information is likely to render impossible or seriously impair the achievement of such research, provided we have obtained your informed consent;
- enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us;
- comply with an existing legal obligation; or
- otherwise use your personal information, internally, in a lawful manner that is compatible with the context in which you provided the Information.

We may not, and will not, treat you differently because you of your Data Subject Request activity. As a result of your Data Subject Request activity, we may not and will not deny goods or services to you, charge different rates for goods or services, provide a different level quality of goods or services, or suggest any of the preceding will occur. However, we can and may charge you a different rate, or provide a different level of quality, if the difference is reasonably related to the value provided by your personal information.

In addition, if you are a California resident under the age of 18 and are a registered user, you may request us to remove content or information posted on our websites or stored on our servers by (a) submitting a request in writing to insert email and (b) clearly identifying the content or information you wish to have removed and providing sufficient information to allow us to locate the content or Information to be removed. However, please note that we are not required to erase or otherwise eliminate content or Information if (i) other state or federal laws require us or a third party to maintain the content or Information; (ii) the content or Information was posted, stored, or republished by another user; (iii) the content or Information is anonymized so that the minor cannot be individually identified; (iv) the minor does not follow the instructions posted in this Policy on how to request removal of such content or Information; and (v) the minor has received compensation or other consideration for providing the content. Further, nothing in this provision shall be construed to limit the authority of a law enforcement agency to obtain such content or Information.

We are committed to providing Services and a Privacy Policy that is accessible to the widest possible audience, regardless of technology or ability. We aim to comply with all applicable standards, including WCAG 2.0 accessibility standards up to level AA. Please see our Accessibility Statement [here](#).

If you experience difficulty in accessing any part of our Services or this Privacy Policy, please feel free to call us at 1-866-201-4035, or email us at accessibility@sparkenergy.com and we will work with you to provide the information, item, or transaction you seek through an alternate communication method or that is accessible for you consistent with applicable law (for example, through telephone support).

X. CONSENT TO TRANSFER

We process Information on our servers located inside and outside the United States. Please be aware that Information, including personal Information that we collect may be processed on a server located outside of the country where you live or in a jurisdiction in which the privacy laws may not be as comprehensive as those in the country where you reside and/or are a citizen. We collect and transfer only Information, including personal data: with your consent; to perform a contract with you; or to fulfill a compelling legitimate interest of us in a manner that does not outweigh your rights and freedoms. We endeavor to apply suitable safeguards to protect the privacy and security of your personal data and to use it only consistent with your relationship with us and the practices described in this Privacy Policy. We also enter into data processing agreements and model clauses with vendors whenever feasible and appropriate.

XI. CHILDREN'S INFORMATION

The Website is intended only for users over the age of eighteen (18). If we become aware that a user is under 13 (or a higher age threshold where applicable) and has provided us with Information, we will take steps to comply with any applicable legal requirement to remove such information. Contact us if you believe that we have mistakenly or unintentionally collected information from a child under the age of thirteen (13).

XII. CHANGES TO THIS PRIVACY POLICY

We reserve the right to change, modify or amend this Privacy Policy at any time to reflect changes in our products and service offerings, accommodate new technologies, regulatory requirements or other purposes. If we modify our Privacy Policy, we will update the "Effective Date" and such changes will be effective upon posting. It is your obligation to check our current Privacy Policy for any changes. At a minimum, we will update this Privacy Policy every twelve months.

XIII. HOW TO CONTACT US

If you have any questions about this Privacy Policy or the Information we have collected about you, please contact us at the following:

Email: privacy@sparkenergy.com

Call us: 1-866-201-4035

California Data Subject Requests: TOLL FREE 1-866-201-4035

Write us: Privacy Team
12140 Wickchester Lane, Ste. 100, Houston, TX 77079
Attention: Privacy Leader

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