
Privacy Policy



Last updated: November 1, 2026

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INTRODUCTION AND SCOPE

The privacy of individuals connected with Metergy Solutions Inc. and all its subsidiaries¹ (together, the “**Corporation**” or “**we**”), including our customers, suppliers and website visitors is of great importance to us, and is something we take very seriously. Keeping Personal Information (as defined below) in strict confidence is a cornerstone of our business. Regardless of how the range of services we provide to our customers expands, and the technology we use changes, we will always strive to protect the privacy of Personal Information in accordance with this privacy policy (the “**Privacy Policy**”).

This Privacy Policy describes how we collect, handle, share and protect Personal Information under our control and sets out the principles and laws on which our privacy practices are based.

By providing Personal Information to us and visiting our website and clicking “I Agree to Metergy’s Privacy Policy”, engaging with our social media or otherwise, you are consenting to our processing of your Personal Information in accordance with the terms of this Privacy Policy.

This Privacy Policy is effective as of the date “Last reviewed”, above, and will remain in effect except with respect to any of its provisions that are changed in the future. We reserve the right to change this Privacy Policy at any time. Changes, modifications, additions, or deletions will be effective immediately upon their posting to our website or upon you being otherwise notified. If we make material changes to this Privacy Policy, we will take reasonable steps to notify you of those changes.

WHAT IS PERSONAL INFORMATION?

“**Personal Information**” is any information that can be used, either alone or in combination with other information, to identify an individual. It includes such things as a person’s name, home address, e-mail address, telephone number, date of birth, social insurance number and financial information. Personal Information does not include business contact information of an individual that the Corporation collects, uses or discloses solely for the purpose of communicating or facilitating communication with the individual in relation to their employment, business or profession. Personal Information may be collected from customers and website visitors. In all cases, we are committed to protecting the privacy of individuals and the integrity of their Personal Information.

TYPES OF PERSONAL INFORMATION COLLECTED AND PROCESSED

The Personal Information which the Corporation may collect depends on the nature of your interaction with us. Most of the Personal Information we handle is collected primarily in connection with products and services provided by or to the Corporation, and during the establishment of business relations. Below is a description of the Personal Information we may collect about you.

a. Information we collect directly from you

1. **Contact and identifying information** including your name, mailing address, service address, email address, telephone number, driver’s licence number, social insurance number and date of birth.

¹ If one of our subsidiaries has adopted its own privacy policy that is consistent with the provisions of this Privacy Policy, that subsidiary’s privacy policy may supersede this Privacy Policy.

2. **Commercial information** including details of products and services used related to meters and service agreements for billing, occupancy dates, whether your premises is rented or owned, consumption and meter reading data and collection information.
3. **Financial and payment information** including, the last four digits of your credit card or debit card, bank account information, or other information required when you make a payment to the Corporation or its third party payment processing provider. Full banking and payment card details are transmitted via secure protocols to, and stored by, our third-party payment processor.
4. **User information** including messages and images uploaded / shared as part of a public forum, message boards and user chats.
5. **Login information** including username and password.
6. **Marketing and communications information** including your preferences in receiving marketing from us and third parties, and your communication preferences.
7. **Other information** which you voluntarily provide to us, our employees, or our contractors.

In addition, if you contact us, we may keep a record of your communication, including telephone calls and emails, to help solve any issues you might be facing.

b. Information we collect from third parties

We also collect your Personal Information from building owners, condominium corporations, strata corporations, co-operative corporations, landlords and/or property managers of your building as well as from third party service providers including payment processors, collection agencies, analytics providers, email service providers, customer service providers, marketing and advertising providers, website hosting platforms, identity authentication providers, and review platforms.

c. Information we collect automatically

We may also collect Personal Information through our website, which may use tracking software in the form of cookies, pixels, beacons and other automated data collection tools (collectively “cookies”). A cookie is a small text file that contains a unique identification number, which can be used to identify the user’s browser, but not the user. Cookies are automatically installed on your computer when you visit a website. They allow the website to “remember” your actions or preferences over time, and allow us to collect and store information such as:

1. **Computer information** including device type, device identifiers, IP address, MAC address, location, browser type, operating system and platform, protocol, sequence information, cookies, browser language and type, and domain name system requests.
2. **Internet or other electronic network activity** including browsing, session, interaction, search history, duration of use, frequency of use, material and pages viewed, time and date of access, number of bytes transferred, number of clicks per visit and other user behaviour related to our website, subject to your cookie consent preferences as described below.

However, unless a visitor actively submits Personal Information while on our website, we will not normally be able to determine the identity of visitors to our website.

We may use the following types of cookies:

- *Strictly Necessary:* These cookies are essential to operate the website and provide you with

services you requested.

- *Functional:* These cookies enable certain features or nonessential functionality on our website. For example, we might use these cookies to recognize you and remember your preferences or settings when you return to our site so we can provide you with a more personalized experience.
- *Advertising Cookies:* These cookies allow us and third parties to learn more about you, including your use of our and other websites, and advertise products or services that might interest you.
- *Analytics Cookies:* These cookies help us and third parties understand how our website works and who visits our website.

You can opt-out of certain types of cookies on our website by using the cookie management tool linked in the footer of the website or by disabling them in your browser's options. If you do, however, you will still be able to visit our website but some of the functions may not work adequately.

We also use third-party cookies provided by Google Analytics to assist us in better understanding our website visitors. These cookies collect IP address and usage data, such as the length of time a user spends on a page, the pages a user visits, and the website a user visits before and after visiting the Metergy website. Based on this information, Google Analytics compiles data about website traffic and interactions, which we use to offer better user experiences and tools in the future. For information on how to opt-out from Google Analytics, visit <https://tools.google.com/dlpage/gaoptout>.

HOW WE USE PERSONAL INFORMATION

In the normal course of doing business, we use Personal Information for general business purposes such as providing or delivering our services, managing our website, as well as preventing or reducing commercial risk. More specifically, we may use your Personal Information for the following purposes:

1. **Establishing, managing and terminating business relations with you**, including billing and collecting overdue amounts. We may also report payment history about accounts to credit reporting agencies to manage collections and business risks. This includes but is not limited to both on-time and delinquent payments and overdue accounts;
2. **Maintaining and improving our products and services** and otherwise running and managing our business in the ordinary course, and keeping our records up to date;
3. **Fulfilling orders or service agreements** with us for the purchase of products, goods, or services, and accessing and using services and our website;
4. **Reviewing the products and services** that we provide to you;
5. **Considering the products and services** that we currently obtain from third parties and should consider in the future;
6. **Informing you of our other products and services**, including those from third parties that we think you may be interested in;
7. **Providing communications from us** in regard to e-news, emails, bulletins, notifications, newsletters, programs, events and activities;

8. **Assisting you** when you contact our customer support services, including to direct your questions to appropriate individuals, investigate and address any of your concerns, and to improve and monitor our customer support responses;
9. **Administering and protecting our business and website**, including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data;
10. **Marketing and advertising** to be presented on our website or delivered to you through other electronic messaging and means (email, social media, direct messaging etc.);
11. **Administering surveys**, contests, draws, raffles, offer tailored content, and other promotional materials to you based on your interests;
12. **Using data for business development** and market research to understand demographics, interests, usage patterns, and other characteristics of individuals and to track and analyze trends and patterns; and
13. **Other purposes permitted or required by law**, including, for example, to comply with a legal obligation or to protect or enforce our rights under our [Terms and Conditions of Use](#) or other agreements, or to detect, prevent and investigate suspicious, unauthorized, fraudulent, illegal or unlawful activity.

HOW WE SHARE YOUR PERSONAL INFORMATION

In the course of providing products or services to you, we may share or disclose your Personal Information with third parties without your consent under certain circumstances as set forth below.

1. During an emergency situation or where necessary to protect the safety of a person or group of persons;
2. To employees, contractors, consultants and other parties (including affiliates of the Corporation) who require the information to assist us in managing the business relationship or providing services, including for billing, handling, account administration, servicing and installations, collections, marketing initiatives and reporting;
3. To the owner of the property at which you are a tenant or occupant, or to the owner of an individual unit within that property that you occupy or of which you are a tenant, where the disclosure is reasonably necessary in connection with the provision of metering, billing, utility management, or other services provided by the Corporation in respect of that property or unit;
4. At the request of government regulators;
5. In response to a search warrant or other legally valid inquiry or order, or to an investigative body in the case of a breach of an agreement or contravention of law; and
6. Where necessary for the establishment, exercise or defence of legal claims; or as otherwise required or permitted by law.

We may use third-party service providers to perform certain business services and may disclose Personal Information to such service providers as needed for them to perform these business services on our behalf. Business services provided may include, but are not limited to, hosting services, communications services, the Metergy Platform development services, payment processing services, compliance services, collection services, analytics services, advertising/marketing services, and customer support services.

We disclose Personal Information to unaffiliated third parties only when necessary to provide products or services to our customers or as otherwise identified in this Privacy Policy. When we do disclose such information to third parties, we require them to protect Personal Information to the same standard as we use within the Corporation in accordance with this Privacy Policy.

The Corporation may also disclose Personal Information in the context of an actual or possible corporate reorganization, merger or amalgamation with another entity, or an actual or possible sale of all or of a substantial portion of the Corporation's assets. In such circumstances, disclosure would occur on the condition that the information only be used for the purpose of evaluating the transaction, or on completion of the transaction, for the purposes outlined in this Privacy Policy.

CROSS-BORDER TRANSFERS

Personal Information provided to our affiliates or service providers may be stored and processed outside of Canada. You acknowledge and agree that, as a result, your Personal Information may be processed, used, stored, or accessed in other jurisdictions and may be subject to the laws of those jurisdictions which may not provide you with the same rights and protections as in Canada. As a result, when your Personal Information is used or stored in a jurisdiction other than where you are residing, it may be subject to the law of this foreign jurisdiction, including any law permitting or requiring disclosure of the information to the government, government agencies, courts and law enforcement in that jurisdiction.

HOW WE SAFEGUARD YOUR PERSONAL INFORMATION

We take the responsibility of safeguarding Personal Information very seriously and in doing so we employ various physical, electronic and procedural safeguards to protect such information. We also limit access to Personal Information regarding our customers and website visitors to those employees, agents, affiliates and service providers who need to know such information in connection with the purposes set forth in this Privacy Policy. Despite using these safeguards, no methods are foolproof. Consistent with good information practices, we encourage you to provide only the Personal Information you are comfortable with providing to a third party, as always keep watch for communications that are suspicious, and report any suspicious activity which may involve us to us as soon as possible.

RETENTION

We only retain Personal Information for as long as is necessary to fulfill the purposes for which it was originally obtained, unless we are required or permitted by law to retain the information for a longer period. Once Personal Information is no longer needed or permitted to be retained, it is securely destroyed or made anonymous as appropriate. To determine the appropriate retention period for Personal Information, we consider the amount, nature, and sensitivity of the Personal Information, the potential risk of harm from unauthorized use or disclosure of your Personal Information, the purposes for which we process your Personal Information and whether we can achieve those purposes through other means, and the applicable legal requirements.

YOUR PRIVACY RIGHTS

Under privacy laws applicable in the region in which you reside, you may have the following rights with respect to your Personal Information, subject to limited exceptions set out in such laws.

- **Right to information:** You have the right to ask us about our processing of your Personal Information, including about the categories of persons who have access to your Personal Information and the applicable retention period.
- **Right to access.** You can ask us if we hold any Personal Information about you, and if so, you can request access to that Personal Information.
- **Right to correction.** You have the right to ask us to rectify any Personal Information that you demonstrate to be incorrect or outdated and to complete any information that you demonstrate to be incomplete.
- **Right to withdraw consent.** You may withdraw your consent to our processing of your Personal Information to the extent permitted by law and our contractual obligations. Please note that refusing or withdrawing your consent in respect of our handling of certain Personal Information may result in us being unable to provide you with certain products and services.

You may also opt out of continuing to receive communications from the Corporation in respect of products and services of the Corporation or third parties other than those which you have inquired about or are receiving. We may, however, collect, use or disclose Personal Information without your knowledge or consent in exceptional circumstances where such collection, use or disclosure is permitted or required by law.

We strive to ensure that all Personal Information is accurate, correct, and up-to-date, and take all reasonable efforts to ensure that the integrity and accuracy of such information is protected.

If you want to exercise any of your privacy rights, please contact our Privacy Officer using the contact information set out below. Please note that any such communications must be in writing. Consistent with applicable law, if an individual requires an alternative method of accessing their Personal Information to accommodate a sensory disability, we will work to provide such alternatives.

When making an access request, we require specific information from you to confirm your identity as well as to search for, and provide you with, the Personal Information that we hold about you. We may charge you a reasonable fee to access your Personal Information; but we will advise you of any fee in advance. If you need help in preparing your request, please contact the office of our Privacy Officer.

There are only a few circumstances under which we will not comply with your request to provide you with access to your Personal Information. These circumstances include:

1. If doing so could reveal Personal Information about a third party (and, in Quebec, if the disclosure could seriously harm that third party);
2. If the information is subject to legal privilege or was generated in the context of a formal dispute resolution process;
3. If the information relates to the actual or suspected breach of an agreement or of applicable law; or
4. Where permitted or required by applicable law.

The Corporation will inform you of the reasons why, subject to any legal or regulatory restrictions, access has been denied.

MINORS

The Corporation will not knowingly obtain consent from those individuals who are minors under fourteen (14) years of age, seriously ill, or mentally incapacitated and we shall therefore obtain consent from a parent, legal guardian or person having power of attorney of such an individual.

If you are an individual under the age of fourteen (14) years, you must access or use our website only with the permission and involvement of your parent or guardian.

PRIVACY INFORMATION FOR UNITED STATES USERS

Please see the US Privacy Policy here <https://www.metergysolutions.com/privacy-policy-us>.

QUESTIONS OR CONCERNS

The Corporation's compliance with this Privacy Policy and with applicable privacy laws is overseen by our Privacy Officer. If you have any questions or concerns regarding this Privacy Policy or our privacy practices, please contact our Privacy Officer at the following address:

Privacy Officer
Metergy Solutions Inc.
8133 Warden Avenue, Suite 601
Markham, ON L6G 1B3
Email: privacy@metergysolutions.com