

SAWNEE ELECTRIC MEMBERSHIP CORPORATION

SUBJECT: MEMBER ACCESS TO COOPERATIVE INFORMATION

POLICY NO. 401

I. OBJECTIVES

- A. To establish the types of information routinely available to members without restriction or condition;
- B. To establish the types of information only made available upon proper written request of a member;
- C. To establish the types of information which must, in the best interest of the Cooperative, be maintained as confidential information and, therefore, may not be made available to members.

II. POLICY

The Board of Directors of Sawnee Electric Membership Corporation (hereinafter called the "Cooperative") shall strive to keep the Cooperative's members adequately informed about the Cooperative's operations and financial condition. To this end, the Cooperative shall, through its newsletter and reports at its annual meetings, routinely make available such information.

- A. In furtherance of the aforementioned policy, the Cooperative shall, as outlined in paragraph "H", without charge, provide copies of the following information:
 - 1. The Cooperative's articles of incorporation, bylaws, rates, charges and fees, service rules and regulations, and annual reports;
 - 2. Any publications the Cooperative may have for general distribution relating to the efficient or safe use of electric energy, the Cooperative's energy use and conservation programs, and the like;
 - 3. Year-end operating and other financial reports, for the Cooperative's previous three (3) fiscal years, that are regularly made to the Rural Utilities Service (RUS), Internal Revenue Service (IRS) and/or the National Rural Utilities Cooperative Finance Corporation;
 - 4. Formal audit reports rendered periodically by independent auditors;
 - 5. The minutes of any general or district member meeting occurring in the ten (10) years prior to the request.

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- B. Subject to the conditions and limitations set forth below in paragraph “C” through “I”, the following information will be made available to any member upon such member’s written request on the form attached:
1. The minutes of any prior meeting of the Board of Directors;
 2. Adopted work plans for the Cooperative’s future construction, operation and maintenance of its general plant and electric system;
 3. Adopted budgets for current and future operations and capital improvements;
 4. Monthly or other periodic or special operating and financial reports submitted by management to the Board of Directors;
 5. The names, addresses and number of the Cooperative’s members; and
 6. Other Cooperative information relevant to a member’s interest.
- C. Access may not be provided to the information listed in paragraph II.B, above, if such request is for an unlawful purpose or:
1. The member fails or refuses to complete, sign and submit the attached Request for Information Form (in accordance with paragraph II.D, below) and to make the warranties and representations set forth therein;
 2. If the request is for a purpose that is not reasonably related to the business of the Cooperative;
 3. If the request is for a dishonest purpose, or to gratify mere curiosity, or is inimical to the lawful interest of the Cooperative, or is for a purpose not reasonably germane to the interest of the member as such;
 4. If the member refuses to execute an agreement restricting his use of such information in such lawful manner as is necessary to protect the legitimate interest of the Cooperative, its members or employees;
 5. If the information sought is of such a nature that, if disclosed, such disclosure would:

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- a. violate a person's right to privacy, violate any agreement with third parties with respect to trade secrets, or adversely affect the Cooperative in its negotiations with third parties;
 - b. adversely affect the Cooperative unduly out of proportion to the possible competing interest of the member seeking to examine such information;
 - c. violate the privilege of confidential communication between the Cooperative and its attorneys.
 6. If the Cooperative information requested deals with trade secrets or other information that is privileged, confidential or proprietary.
- D. A request for the information listed in paragraph II.B, above, must be submitted in writing, using the attached Request for Information Form, addressed to the Executive Committee and the President and Chief Executive Officer of the Cooperative (see Exhibit "A"). The need for the information must be clearly stated in the request. The Executive Committee of the Board of Directors shall review the request and, after consideration, may direct the President and Chief Executive Officer to provide the information if it determines that the information is a bona fide request that meets the criteria listed in paragraph II.C, above. Otherwise, the Executive Committee may refer the request to the full Board of Directors for consideration and action.
- E. When a member requests the release of his or her own member information, the member must demonstrate his or her identity by providing reasonable and unique information to the Cooperative. Such reasonable and unique information may include, but will not be limited to, social security number, Cooperative account number, member number, facsimile signature, or a combination of the foregoing. Once the member's identity has been confirmed, the member can direct the Cooperative to release specific and necessary member information to companies and/or individuals by completing and submitting the attached Authorization to Release Member Information Form (see Exhibit "B").
- F. The Cooperative disclaims any liability resulting from the unauthorized publication of information disclosed under the provisions of this policy.
- G. Notwithstanding anything contained herein to the contrary, the Cooperative reserves the right to provide information to its agents and affiliates so long as, in the sole opinion of the Cooperative, the provision of such information is consistent with activities associated with the operation of the Cooperative.

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- H. The Cooperative shall, within reason, furnish or transmit, free of cost, true and correct copies of items listed in paragraph II.A, above, as well as any other item, which in the Cooperative's sole discretion will entail only minimal copying or transmitting costs.
- I. Except as provided for in paragraph "H" above, a member shall bear all costs of copying or otherwise transmitting the information requested. Such copying and /or transmitting shall be done as prescribed by the Cooperative and will generally occur on the Cooperative's premises with one or more of the Cooperative's personnel or its attorney retaining custody of the items and being present during this copying or transmission process.

III. RESPONSIBILITY

- A. It shall be the responsibility of the President and Chief Executive Officer to administer this policy. The President and Chief Executive Officer will report requests for the information listed in paragraph II.B, above, as outlined herein, to the Executive Committee of the Board of Directors.
- B. It shall be the responsibility of the Executive Committee to review requests for privileged information and, as it deems necessary, either act on the request or submit the request to the full Board for consideration.
- C. Each member of the Board of Directors shall be responsible for calling to the attention of the Executive Committee, for discussion before the full Board, any violations of this policy.

ADOPTED: March 15, 1984
REVISED: October 18, 1990
April 18, 1991
September 19, 1991
April 16, 1992
July 21, 1994
December 17, 1998
March 18, 2004
May 18, 2006
November 15, 2007

EFFECTIVE: July 21, 1994
January 1, 1999
May 1, 2004
May 19, 2006
November 15, 2007

SAWNEE ELECTRIC MEMBERSHIP CORPORATION

EXHIBIT "A"

REQUEST FOR INFORMATION

TO: Executive Committee and President and Chief Executive Officer of
Sawnee Electric Membership Corporation
P. O. Box 266
543 Atlanta Road
Cumming, Georgia 30028

Gentlemen:

In accordance with the policies of Sawnee Electric Membership Corporation, I hereby submit my request to examine and inspect certain books, records and information of Sawnee Electric Membership Corporation and warrant, represent and certify that:

- 1. I am a member of the Cooperative. My full name, address, telephone number and member account number appearing on the Cooperative records is as follows:

(Name)

(Address)

(City)

(State)

(Zip)

(Telephone Number)

(Cooperative Account Number)

- 2. The Cooperative information which I desire to examine and inspect is:

- 3. The purpose for which I desire to examine and inspect this information is:

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4. This examination and inspection is for a purpose reasonably related to the business of the Cooperative.
5. I understand that this request for information may be denied under the following conditions:
 - A. If the information sought to be examined is of such a nature that examination and inspection would:
 - 1) violate a person's right to privacy, violate any agreement with third parties with respect to trade secrets, or adversely affect the Cooperative in its negotiations with third parties.
 - 2) adversely affect the Cooperative unduly out of proportion to the possible competing interest of the member seeking to examine such information.
 - 3) violate the privilege of confidential communication between the Cooperative and its attorney.
 - B. If the examination and inspection is sought for a dishonest purpose, or to gratify mere curiosity, or is otherwise inimical to the lawful interest of the Cooperative, or is not reasonably germane to the interest of the member as such.
 - C. If the Cooperative information sought to be inspected deals with trade secrets or other information which is privileged, confidential or proprietary.
6. I do not intend to sell or offer to sell any list of members of the Cooperative and I have not, within a five year period, aided or abetted, and do not now intend to aid or abet any other person in procuring any list of members for such purpose.
7. I shall not use the Cooperative information which I examine and inspect for any other purpose other than the purpose specified above.
8. I agree to reimburse the Cooperative for the costs of copying and/or transmitting the information requested if, in the Cooperative's sole discretion, such copying or transmission will entail more than minimal costs. I further agree that any such copying and transmission of the requested information will be done on the Cooperative's premises with one or more of the Cooperative's personnel, or its attorney, retaining custody of the items and being present during the copying or transmission process.

(Signature)

(Print Name)

Submitted and certified to this ____ day of _____, 2____.

(Notary)

(SEAL)

SAWNEE ELECTRIC MEMBERSHIP CORPORATION

EXHIBIT "B"

AUTHORIZATION TO RELEASE MEMBER INFORMATION

I, _____, a member of SAWNEE ELECTRIC MEMBERSHIP CORPORATION (the "Cooperative") do hereby authorize the Cooperative to release the specified information to _____ for the purpose of or related to:

Requesting Party: _____

Address: _____

(Street)

(City)

(State)

(Zip)

(Telephone Number)

(Cooperative Account Number)

Information Requested: _____

(Signature)

(Print Name)

Submitted and certified to this ____ day of _____, 2____.

(Notary)
(SEAL)