

EnerNOC, Inc.
Notice of Access, Collection, Storage, Use and Disclosure of Covered Information

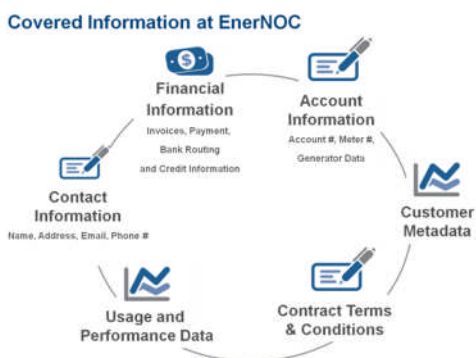
Effective January 22, 2016

This Notice identifies the rules for access, collection, storage, use, and disclosure of Covered Information, consistent with the California Public Utilities Commission (CPUC) Privacy Rules. "Covered Information" is a customer's electricity and natural gas consumption data that is accompanied by information that can reasonably be used to identify the customer.

EnerNOC will provide this Notice when confirming a new customer account located in California and to all customers located in California at least once a year. A copy of this Notice is available at the following link: www.enernoc.com/privacy-policy

EnerNOC may alter this Notice or its posted Privacy Policy from time to time either for purely editorial reasons or as necessary to comply with changes in law or regulatory requirements. Customers will receive notifications of changes to this Notice, if significant. EnerNOC will not make material changes to our policies and practices to make them less protective of any personally identifiable information collected from customers in the past under prior policies without the consent of the affected customers. Prior versions of these Notices will be available to customers at the following link: www.enernoc.com/privacy-policy

Covered Information will be collected during the term of the agreement between EnerNOC and the customer and will be treated in accordance with EnerNOC's Privacy Policy, which can be viewed at www.enernoc.com/privacy-policy.



The categories of Covered Information assessed, collected, stored, used, and disclosed by EnerNOC may include customer contact information, financial information, account information, customer metadata, contract terms and conditions, and usage and performance data. These categories of Covered Information are also commonly referred to as Personally Identifiable Information or PII.

Primary Purpose

Covered Information collected and stored by EnerNOC will be used in a manner consistent with the terms of the agreement between EnerNOC and the customer to fulfill EnerNOC's demand response and energy efficiency contract obligations to an investor-owned utility or another entity with whom EnerNOC has a valid contract. This is referred to as Primary Purpose.

EnerNOC will not disclose any Covered Information to a third party unless the third party is contracted for a Primary Purpose. Each third party who receives customer information from EnerNOC is contractually obligated to abide by EnerNOC's Privacy Policy and protect customer information on a basis comparable to EnerNOC.

Secondary Purpose

EnerNOC will not use the Covered Information for any Secondary Purpose (i.e., for purposes not specified in the contract with the customer) without the express Customer authorization. This authorization will be obtained from Customers via a direct request, which will include the reason for the request, and the categories of Covered Information being requested.

The disclosure of Covered Information to third parties for Secondary Purposes will only be done with express Customer authorization. This authorization will be obtained from Customers via a direct request, which will include the reason for the request, the identities of those third parties seeking the request, and the categories of covered information being requested.

EnerNOC retains Covered Information up to 5 years.

Customers may send requests to view, inquire about, or dispute their Covered Information to the contact listed below. Customers may limit the access, collection, storage, use or disclosure of Covered Information by contacting the person listed below. However, if the customer limits the access, collection, storage or use of their Covered Information for a Primary Purpose, the customer may be violating the terms of their contract with EnerNOC, which may have consequences to the customer depending on that customer's agreement with EnerNOC.

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