

**WAC 480-90-153 Disclosure of private information.** (1) A gas utility may not disclose or sell private consumer information with or to its affiliates, subsidiaries, or any other third party for the purposes of marketing services or product offerings to a customer who does not already subscribe to that service or product, unless the utility has first obtained the customer's written or electronic permission to do so.

(2) Private consumer information includes the customer's name, address, telephone number, and any other personally identifying information, as well as information related to the quantity, technical configuration, type, destination, and amount of use of service or products subscribed to by a customer of a regulated utility that is available to the utility solely by virtue of the customer-utility relationship.

(3) The utility must obtain a customer's prior permission for each instance of disclosure or sale of his or her private customer information to an affiliate, subsidiary or other third party for purposes of marketing services or products that the customer does not already subscribe to and maintain a record of each instance of permission for disclosing his or her private customer information.

(4) The utility will retain the following information for each instance of a customer consent for disclosure of his or her private customer information if provided electronically:

(a) The confirmation of consent for the disclosure of private customer information;

(b) A list of the date of the consent and the affiliates, subsidiaries, or third parties to which the customer has authorized disclosure of his or her private customer information; and

(c) A confirmation that the name, service address, and account number exactly matches the utility record for such account.

(5) This section does not prevent disclosure of the essential terms and conditions of special contracts as provided for in WAC 480-80-143 (Special contracts for gas, electric, and water companies).

(6) This section does not prevent the utility from inserting any marketing information into the customer's billing package.

(7) The utility may collect and release customer information in aggregate form if the aggregated information does not allow any specific customer to be identified.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 11-06-032 (Docket U-100523, General Order R-563), § 480-90-153, filed 2/25/11, effective 3/28/11. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353. WSR 03-22-046 (Docket No. A-030832, General Order No. R-509), § 480-90-153, filed 10/29/03, effective 11/29/03. Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-20-059 (Docket No. UG-990294, General Order No. R-488), § 480-90-153, filed 9/28/01, effective 10/29/01.]