



Your Touchstone Energy® Cooperative   
The power of human connections®

## **POLICY NO. 300-040**

### **TITLE: MEMBER REQUEST FOR INFORMATION**

#### **I. OBJECTIVE**

To allow Cooperative members reasonable access to information concerning the books and records of the Cooperative

#### **II. POLICY**

A. ORS 62.440 provides that:

##### **Books and records; attorney fees**

1. A cooperative shall keep correct and complete books and records of account, and shall keep minutes of the proceedings of its members, board and executive committee. It shall keep at its principal office records of the names and addresses of all members and shareholders. At any reasonable time any member or shareholder, or the agent or attorney of any member or shareholder, upon written notice stating the purpose thereof may examine for any proper purpose any books or records pertinent to the purpose specified in the notice and may make extracts therefrom, all in accordance with any reasonable conditions prescribed by the Board restricting the disclosure, dissemination or use by an member or shareholder, or any agent or attorney of any member or shareholder, of any information therein contained. The Board may deny a request to examine books and records if the Board determines that the purpose is not directly related to the business or affairs of the Cooperative and is contrary to the best interests of the Cooperative.
2. In any action or proceeding to enforce the rights of members or shareholders provided in this section, the court may award reasonable attorney fees to the prevailing party.

- B. A request for information by members must state in writing the information requested and the purpose for requesting the information and agree that the information will only be used for the specified purpose and will not otherwise be disclosed.
- C. The purpose of the request must be directly related to the business or affairs of the Cooperative and must not be contrary to the best interests of the Cooperative.
- D. The request must be in forms approved by the Board of Directors and supplied by the Cooperative. A copy of the authorized Member Information Request form is attached to this policy as Exhibit "A."
- E. A member may inspect the books and records of the Cooperative only if the member's request to inspect is made in good faith, the request is for a proper purpose, and the records are directly connected with the proper purpose.
- F. The information may not be disclosed to anyone who may use the information to the detriment or disadvantage of the Cooperative or its members.
- G. The information may not be used to solicit money or property.
- H. The information may not be used for any commercial purpose or sold to, or purchased by, any person.
- I. Any actual expenses/costs are to be paid by the member/requester.
- J. The General Manager/Chief Executive Officer (GM/CEO) will make an initial determination concerning the validity of a member's request. If a member's request is denied and the member requests that the denial be reviewed by the Board of Directors, the Board of Directors shall make a final determination concerning the member's information request.

The GM/CEO will report to the Board, monthly, concerning member requests for information made in accordance with this policy and whether the member's request was approved or denied.

### III. RESPONSIBILITY

The General Manager/Chief Executive Officer shall be responsible for administering this policy.

ATTEST:

/s/ C L McMahan  
C L McMahan, Secretary

Date: 3/26/2010

*(Replaces PB#64)*

Date of Previous Revision(s): 11/28/2006  
And 5/28/2004



IF YOU ARE REPRESENTED BY AN ATTORNEY IN THIS REQUEST, PLEASE STATE SUCH ATTORNEY'S NAME, BUSINESS ADDRESS AND TELEPHONE NUMBER:

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I UNDERSTAND THAT BY EXECUTING THIS REQUEST FOR INFORMATION, I AGREE:

(1) TO ABIDE BY THE COOPERATIVE'S POLICY AS TO DISCLOSURE OF THE COOPERATIVE'S BOOKS AND RECORDS AS CONTAINED IN ATTACHED POLICY.

(2) NOT TO USE SUCH INFORMATION FOR ANY PURPOSES OTHER THAN THOSE SPECIFIED HEREIN, AND

(3) NOT TO DISCLOSE SUCH IFORMATION TO PERSONS WHO ARE NOT MEMBERS OF THE COOPERATIVE.

Member's Signature \_\_\_\_\_

Date \_\_\_\_\_

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**ACTION TAKEN**

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Signed: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: \_\_\_\_\_