

**MINUTES OF THE
JOHNSON CITY ENERGY AUTHORITY
D/B/A
BRIGHTRIDGE**

March 22, 2022

PRESENT: Dan Brant
Jenny Brock
James Haselsteiner
B. J. King
Gary Mabrey
James Smith
Robert Thomas
Jeffrey R. Dykes, Chief Executive Officer
Brian Bolling, CPA, Chief Financial Officer and Chief Customer Officer
Connie Crouch, Human Resources Manager
Bonnie Donnolly, Chief Development and Market Strategy Officer
Mark Eades, Chief Engineering and Facilities Officer
Eric Egan, Chief Data Officer
Brian Ellis, Service Department Manager
Stacy Evans, Chief Broadband and Technology Officer
Melissa Taylor, Supervisor, General Accounting
Tim Whaley, Director of Public and Governmental Affairs
Stephen M. Darden, Hunter Smith Davis, LLP

ABSENT: Joe Grandy
Hal Knight
Donnie Hall, Safety/Environmental Manager
Rodney Metcalf, Chief Operations Officer
David Spinnato, Physical Plant/Warehouse Manager
Tiphonie Watson, Customer Support Manager

Chairman James Smith called the meeting to order.

Upon motion of Ms. Brock, seconded by Mr. Mabrey, the Board voted to add as Item 4 (E.) to the Consent Agenda - Electric - consideration of refurbishment of the fueling system and pump island area at the Boones Creek Road facility. The motion carried unanimously by voice vote.

Upon motion of Mr. Thomas, seconded by Mr. Haselsteiner, the Board approved the following Resolution:

WHEREAS, Mr. Dan Brant was appointed to the Johnson City Power Board's Board of Directors by the Washington County Commission in April, 2015, and served faithfully in that capacity for seven years; and

WHEREAS, on April 1, 2017, the Johnson City Power Board became the Johnson City Energy Authority; and on October 3, 2017, Johnson City Energy Authority announced the d/b/a name of BrightRidge; and

WHEREAS, during Mr. Brant's tenure, he served on the Human Resources/Insurance Committee, assisted the Board through the transition to energy authority and rebranding, and supported the launch of the Broadband Division; and

WHEREAS, the Board of Directors of BrightRidge wishes to recognize Mr. Brant for his outstanding service to the citizens, staff, and fellow Board members of BrightRidge by his dedication and loyalty;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Johnson City Energy Authority, d/b/a BrightRidge, meeting in regular session on the 22nd day of March, 2022, that Mr. Dan Brant be, and hereby is, officially honored for his seven years of service to the citizens of the BrightRidge service area.

BE IT FURTHER RESOLVED that a copy of this Resolution be presented to Mr. Brant and be spread in full on the minutes of the proceedings of this meeting.

The motion carried unanimously by roll call vote.

Upon motion of Mr. Mabrey, seconded by Mr. Thomas, the Board approved the following Resolution:

WHEREAS, Mr. Joe Grandy was appointed to the Johnson City Power Board's Board of Directors by the Washington County Commission in September, 2014, and served faithfully in that capacity for seven years and six months; and

WHEREAS, on April 1, 2017, the Johnson City Power Board became the Johnson City Energy Authority; and on October 3, 2017, Johnson City Energy Authority announced the d/b/a name of BrightRidge; and

WHEREAS, during Mr. Grandy's tenure, he served on the Business Development and Planning Committee and as Chairman of the Finance, Audit, Rates and Budget Committee, assisted the Board through the transition to energy authority and rebranding, and supported the launch of the Broadband Division; and

WHEREAS, the Board of Directors of BrightRidge wishes to recognize Mr. Grandy for his outstanding service to the citizens, staff, and fellow Board members of BrightRidge by his dedication and loyalty;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Johnson City Energy Authority, d/b/a BrightRidge, meeting in regular session on the 22nd day of March, 2022, that Mr. Joe Grandy be, and hereby is, officially honored for his seven years and six months of service to the citizens of the BrightRidge service area.

BE IT FURTHER RESOLVED that a copy of this Resolution be presented to Mr. Grandy and be spread in full on the minutes of the proceedings of this meeting.

The motion carried unanimously by roll call vote.

Upon motion of Dr. King, seconded by Mr. Haselsteiner, the monthly power distributor's report submitted to the Tennessee Valley Authority for February, 2022 was approved. The motion carried unanimously by roll call vote. Year-to-date income was \$25,484.88 more than last year's year-to-date figure and year-to-date actual net income was \$2,521,985.14 more than the budgeted figure. The general fund balance stands at \$29,249,229.13, the reserve fund balance stands at \$6,809,438.80, the special reserve fund balance stands at \$6,055,915.53, the tax equivalent fund balance stands at \$3,735,944.34, the economic development fund balance stands at \$1,586,932.59, the 2017 bond and interest sinking fund balance stands at \$2,935,539.43, the renewal and replacement fund balance stands at \$6,337,540.79, the 2021 bond proceeds fund balance stands at \$27,221,467.37, and the self-insurance fund balance stands at \$2,011,230.96. BrightRidge is currently serving 81,382 customers, which is an increase of 1,119 customers since the same time last year. The customer growth rate over the past 10 years currently stands at 1.4%.

Mr. Bolling discussed the Electric Division's financial situation in depth, including the company's stable cash position which enabled it to make the in-house loans necessary to establish the Broadband Division. He also discussed the impacts of TVA's Fuel Cost Adjustment and of the one-time Pandemic Recovery Credit to customers, and how inflation is affecting the utility's expenditures.

Upon motion of Ms. Brock, seconded by Mr. Haselsteiner, the monthly financial statements for February, 2022 for the Broadband Division were approved. The motion carried unanimously by roll call vote. Year-to-date income was \$1,059,157.31 more than last year's year-to-date figure and year-to-date actual net income was \$424,448.89 more than the budgeted figure. The cash bank balance stands at \$268,148.29, the broadband debt service fund balance stands at \$526,843.51, the reserve fund balance stands at \$1,000,515.13, the broadband checking account balance stands at \$107,756.71, the broadband money market account balance stands at \$25,358.46, the voice service balance stands at \$48,401.45, and the video service balance stands at \$86,631.67. Capital projects closed to plant through February, 2022 totaled \$4,356,462.64 (less construction work in progress since June, 2021 totaling \$462,746.51), with a \$3,371,758.87 capital budget remaining at this time. These capital project figures reflect \$500,000.00 in potential grant monies.

Upon motion of Dr. King, seconded by Mr. Mabrey, the Board approved the following items on the Electric Division Consent Agenda:

(a) The minutes of the regularly scheduled Board meeting on February 22, 2022.

(b) The purchase of two remote supervisory Vista switches from Irby at a cost of \$243,076.00.

(c) The low bid of ERMCO in the amount of \$66,036.00 for 4 25 KVA CONV 120/208 transformers (\$29,040.00) and 5 100 KVA CONV 277/480 transformers.

(d) The Building D (Warehouse) PVC shed project in the amount of \$546,000.00, plus the cost of ceiling-mounted space heaters for the area. Costs for the project were allocated in the budget at \$320,000.00, but due to escalating materials costs, the project is now estimated to be priced in the range of \$546,000.00; this will require the reallocation of approximately \$300,000.00 from the 2022 Building Renovations line item to cover the increased materials costs and the space heater bid. Due to delays in getting the project bid and the expected long delivery times for materials, particularly metals, the project will not be completed until the FY 2023 budget year.

(e) The single bid of Petro Services, Inc. in the amount of \$71,825.00 for the replacement of the current vehicle fueling system and pump island, and updating of the fuel accounting system, wherein employees may use their own ID badges when fueling.

The motion carried unanimously by voice vote.

Upon motion of Mr. Haselsteiner, seconded by Ms. Brock, the Board approved the following items on the Broadband Division Consent Agenda:

(a) Pre-approval to purchase from the lowest bidder the HPE StoreOnce ransomware protection package for Broadband infrastructure back-ups at a cost not to exceed \$58,000.00. Bid submissions will be required by March 24, 2022.

(b) The purchase of 800,000 feet of Mini LT 2-fiber flat drop loose tube fiber optical cable from Core Telecom Systems, Inc. at a cost of \$116,000.00, plus shipping.

The motion carried unanimously by voice vote.

Ms. Brock delivered the report of the Finance, Audit, Rates and Budget Committee, which met on March 1, 2022 to consider two items.

Upon motion of Ms. Brock, seconded by Mr. Mabrey, the Board approved the reallocation of \$1 million in Broadband Division loans budgeted for FY 2025 into FY

2022. The staff recommendation in this regard is designed to improve cash flow coverage due to (a) supply chain issues impacting lead times, resulting in the need to order materials well in advance; (b) the increase in broadband materials costs above projected costs; and (c) possible Phase V construction occurring during FY 2022.

The total TVA-approved loan amount of \$47 million is unchanged, and only the timing of the draws would change. TVA has formally approved the reallocation proposal.

The motion carried unanimously by roll call vote.

The second item considered by the FARB Committee concerned modifications to the Broadband Division's video products. Upon motion of Ms. Brock, seconded by Mr. Haselsteiner, the Board approved the following modifications:

(a) Passing the 2022 increase amount of \$2.95 per month to all current video subscribers, effective in the May, 2022 billing cycles. By FCC guidelines, BrightRidge will provide a 30-day notice to all current video subscribers. Additionally, this 2022 increase will be included in all new video subscriptions effective May 1, 2022.

(b) Removing the multi-product bundle discount for new broadband sales effective April 1, 2022, and grandfathering any existing discounts applied prior to April 1st.

(c) Eliminating all discounts for the monthly rental for the first Firestick or Kaon device provided to new video sales effective April 1, 2022. Existing discounts for Firestick or Kaon devices will remain for those currently receiving this benefit.

(d) Authorizing BrightRidge marketing and sales groups to use tools such as MyBundle.com and Suppose.tv to educate customers on alternate video streaming options to our IPTV video solution.

The motion carried unanimously by roll call vote.

Upon motion of Mr. Thomas, seconded by Ms. Brock, the Board approved a recent update to the Employee Relations Department's Limited English Proficiency Plan. The motion carried unanimously by roll call vote.

The plan, developed in 2013 and updated every three years, is a written response to BrightRidge's commitment to meet the needs of its customers with limited English proficiency. The updated plan includes the most recent (2019) available census data and further reflects the current broadband phase and staff changes. The changes to the plan are attached as Exhibit "A" to these minutes and become effective on March 23, 2022.

Upon motion of Mr. Mabrey, seconded by Mr. Haselsteiner, the Board approved minor changes to the Electric Rules and Regulations, to become effective on May 1, 2022. The motion carried unanimously by roll call vote. The changes add the word "electric" in Item 2, Deposits/Residential, and in Item 3, Deposits/Business, to clarify that a customer's credit history is evaluated based upon an existing customer's residential (Item 2) or commercial or industrial (Item 3) electric account and not some other service account such as broadband.

Upon motion of Ms. Brock, seconded by Mr. Mabrey, the Board approved the implementation of BrightRidge SmartHub Account Terms and Conditions, effective March 23, 2022. The motion carried unanimously by roll call vote. The company has recently been working with NISC, its enterprise software provider, to implement a new feature called SmartHub Order Management, which will allow customers to sign up for broadband and electric service online. SmartHub Order Management has been tested and is expected to go live by early April. It was NISC's recommendation that BrightRidge implement SmartHub Account Terms and Conditions in addition to its existing Electric Rules and Regulations and Broadband Terms and Conditions. The SmartHub Account Terms and Conditions adopted by the Board are attached as Exhibit "B" to these minutes.

Mark Eades, Chief Engineering and Facilities Officer, delivered a presentation to the Board regarding electromagnetic pulses (EMP) and their impact upon infrastructure. Mr. Eades consulted experts Dr. Sherrill Greene, Ian Grant, PE, and Charles H. Perry, PE in the preparation of the presentation

Dr. Greene worked for 34 years at Oak Ridge National Laboratories as Director of the Nuclear Technology programs and Director of Research in the reactor development program. Dr. Greene has also worked with the U. S. Department of Energy, the National Nuclear Administration, the Nuclear Regulatory Commission and NASA. His area of expertise is "black skies" - the phenomena of how to restore a utility system when nothing is operating due to a natural or man-made event.

Mr. Grant is employed by the Tennessee Valley Authority in Transmission Planning and has 50 years of experience and has authored 60+ publications. He has been named "Engineer of the Decade" by the Chattanooga chapter of the Society of Professional Engineers.

Mr. Perry works for the Electric Power Research Institute (EPRI). His sole responsibility is the study of high-altitude electromagnetic pulses and geometric disturbances caused by the same and their effects on the electric grid and the electric industry.

Electromagnetic pulses are intense pulses of electromagnetic energy resulting from solar-caused effects or man-made nuclear effects detonated at a high altitude. Integral to the understanding of electromagnetic pulses is the relationship between electricity and magnetism. For instance, an electric current run through a wire wrapped around a metal bar will create an electromagnetic field which will magnetize the

bar. The opposite is true, as well - a magnet waved past a conductor or a wire will cause a current to flow within that wire. Just as a bar magnet has a north pole and a south pole, so does the earth, with lines of flux surrounding the earth that run from the north pole to the south pole and up through the center of the earth. If a current flows through these lines of flux, a deflection occurs which affects the electromagnetic field and can impact such things as electric transmission lines.

The sun is one million times larger than the earth. Its radius is approximately 432,000 miles - twice the distance from the earth to the moon. Light from the sun takes about 8 minutes to reach the earth. The sun's core is 27 million degrees, with the surface of the sun being 10,000 degrees. The average distance to the sun is 93 million miles. Only one one-billionth of the sun's energy ever reaches the earth. Approximately every 11 years, the sun's north and south poles flip. When this occurs, the sun becomes disturbed, and coronal mass ejections (CMEs) are likely to happen. The next occurrence of this phenomenon is expected to occur in 2023. A CME is about 20 to 25 times the size of the earth and is likened to a "burp" of the sun. CMEs happen fairly regularly, but impacts to the earth are few, because they most often happen on the opposite side of the sun from the earth or at the top or bottom of the sun. If the electromagnetically charged gas from a CME crosses the electromagnetic sphere of the earth, it energizes and changes the earth's electromagnetic sphere. Electric transmission lines have electromagnetic fields associated with them, and changes therein can induce DC currents in the transmission lines or cause current to flow through the earth itself and come back up through the neutrals in any device having a neutral (transformers, distribution lines, etc.). This occurred in 1859, but devices at that time did not exist that would cause major disruption. Studies expect a major event of this type on earth approximately every 100 years.

The Tennessee Valley Authority has installed monitors across its system which scrutinize these solar activities, as DC current disruptions can cause major damage to transmission lines, distribution lines, and transformers.

High-altitude detonation of a thermonuclear device can also adversely affect electric infrastructure such as transmission lines and sensitive electronics. X-rays and gamma rays crossing through the atmosphere cause an ionization of the earth's atmosphere, resulting in free and moving electrons. Detonation of a thermonuclear device 250 miles above the earth's surface in 1962 led to the discovery of the detrimental effects of electromagnetic pulses over a wide area. EPRI is working closely with the U. S. Department of Energy, the U. S. Department of Defense, the National Laboratories and other industry groups to study of the effects of the detonation of a nuclear weapon high above the earth's surface. The Tennessee Valley Authority has selected three areas on its system to "harden" in order to withstand the effects from this type of event.

Stacy Evans, Chief Broadband and Technology Officer, delivered an update regarding the broadband project. At the time of the Board meeting, the Broadband Division has a total of 6,894 active customers, 9.54% of which are business or commercial entities.

The current broadband customer base is as follows:

Jonesborough Fiber:	892
Johnson City Fiber:	3,204
Piney Flats Fiber:	7
Telford Fiber:	156
Limestone Fiber:	237
Gray Fiber:	2,079
Kingsport Fiber:	128
Fall Branch Fiber:	24
Fixed Wireless:	167
Managed Wi-Fi:	4,405 (71.7% average "take rate")
IPTV Video:	1,309
Telephone VoIP:	925

Linear weekly customer adds are exceeding the budgeted goal of 58.4. As of the time of the Board meeting, the Broadband Division's customers are trending 215 customers above the linear budget line. Mr. Evans noted that it was encouraging that customer growth rates have remained constant across all geographic areas and across all products sold.

CEO Jeff Dykes reminded Board members of the Capital Budget meeting to be held on April 12 at 3:30 PM.

Mailers will be distributed this week for the Home Uplift Program, targeting residential areas where homeowners may qualify for the program.

Mr. Dykes advised the Board that Tantalus had advised of an upcoming 7.5% increase on electric meters; pre-ordering of next year's meter supply at this time will result in a cost savings on this purchase.

The Board adjourned into Executive Session to discuss a pending legal matter. The Board reconvened into regular session following the Executive Session.

There being no further business, the meeting was adjourned.



BRIGHTRIDGE

Limited English Proficiency (LEP) Plan Title VI Documentation

March 2022 196

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I. Introduction

This *Limited English Proficiency Plan* has been prepared to address BRIGHTRIDGE's responsibilities as they relate to the needs of individuals with limited English proficiency (LEP). The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, U.S.C. 2000d, et seq., and Executive Order 13166 and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

A. Plan Summary

As a recipient of federal funds, BRIGHTRIDGE is required to take reasonable steps to ensure meaningful access to our services by LEP persons. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training, and how to notify LEP persons that assistance is available. The following four-factor LEP analysis has been used to determine what steps BRIGHTRIDGE will take to ensure that vital information, both written and -verbal, which is provided in English is translated into the non-English language of regularly encountered LEP groups served by our company:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter BRIGHTRIDGE for electric and/or broadband services.
2. The frequency with which LEP persons come in contact with BRIGHTRIDGE for electric and/or broadband services.
3. The nature and importance of programs, activities or services provided by BRIGHTRIDGE to the LEP population.
4. The resources available to BRIGHTRIDGE and overall cost to provide LEP assistance.

II. Meaningful Access: Four-Factor Analysis

1. **The number or proportion of LEP persons in the service area who may be served or are likely to encounter BRIGHTRIDGE for electric and/or broadband services.**

BRIGHTRIDGE reviewed the information available for Washington County on City-Data.com/county/Washington_County-TN.html on March 17, 2016 February 21 18, 2022 and determined the following:

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Washington County Tennessee Summary of People with Limited English Proficiency

(Based on 201296 Data)

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Total County Population: 125,094 93,375 7,440

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Races in Washington County:

White Non-Hispanic Alone 88.29 190.2%

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Black Non-Hispanic Alone 4.03 93.8%

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Hispanic or Latino	3.63%	Formatted: Highlight
Two or more races	2.14.85%	Formatted: Highlight
Asian Alone	1.762%	Formatted: Highlight
Resident who speak English at home	94.96.65%	Formatted: Highlight
Residents who speak Spanish at home	1.72.34%	Formatted: Highlight
Of the 1.72.4% who speak Spanish at home:		
Speak English, very well	66.7283%	Formatted: Highlight
Speak English, well	18.2%	
Speak English, not well	1.14%	Formatted: Highlight
Speak no English	2.12%	Formatted: Highlight
Resident who speak other Indo-European language at home	1.11.10.9%	Formatted: Highlight
Of the 1.1% who speak Indo-European at home:		
Speak English, very well	75.860%	Formatted: Highlight
Speak English, well	81.73%	Formatted: Highlight
Speak English, not well	8.5%	
Speak no English	0.01%	Formatted: Highlight
Residents who speak Asian or Pacific Island language at home	1.00.49%	Formatted: Highlight
Of the .41% who speak Asian or Pacific Island at home:		
Speak English, very well	65.795%	Formatted: Highlight
Speak English, well	16.241%	Formatted: Highlight
Speak English, not well	5.64%	Formatted: Highlight
Speak no English	5.0%	Formatted: Highlight
Residents who speak other language at home	0.153%	Formatted: Highlight
Of the .15% who speak other language at home:		
Speak English, very well	93.8777%	Formatted: Highlight
Speak English, well	4.817%	Formatted: Highlight
Speak English, not well	3.5%	Formatted: Highlight
Speak no English	0%	

2. The frequency with which LEP persons come in contact with BRIGHTRIDGE for electric service.

BRIGHTRIDGE tracks the frequency with which staff has contact with LEP persons. In the previous year 202158, BRIGHTRIDGE bilingual staff assisted 41296144 customers for an average of 34812/month. Based on this review and the small number of people that in fact fall into this category we estimate that our staff has had minimal contact with LEP persons. There have been no reports of issues arising where our staff has been unable to meet the needs of an LEP customer.

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3. The nature and importance of programs, activities or services provided by BRIGHTRIDGE to the LEP population.

A. BRIGHTRIDGE provides electric service to all of Washington County and a small portion of 3 surrounding counties; Carter, Greene and Sullivan Counties. However, Washington County customers make up 86.67.5% of our customers. Electricity is a vital service that all people in the service area use. All citizens use our services including those that have Limited English Proficiency.

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B. ~~As of the date of this document, BRIGHTRIDGE is in the beginning stages of a newly adopted~~ is in the 5th Phase of an 8 Phase business plan to offer Broadband services to our service area. The plan ~~will include~~ includes a "Triple Play" offering to include internet, telephone and television. The plan calls for BRIGHTRIDGE to provide these services to 75% of our service area within an 8 year time frame. BRIGHTRIDGE recognizes that Broadband services have become the modern day must have utility and the demand for high quality, high-speed, reliable broadband has and will continue to grow as more of the economy is dependent on high quality, high-speed broadband. BRIGHTRIDGE strives to ~~will provides~~ the same level of service for LEP customers of our Broadband service as is provided to those using our electric service. e.

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4. The resources available to BRIGHTRIDGE and overall cost to provide LEP assistance.

BRIGHTRIDGE currently employs ~~oneto~~ two full-time employees in the Customer Support Department who ~~is~~ are bilingual; ~~this employees~~ ; both speaks fluent Spanish and English. This is at no extra cost to the company ~~because both employees~~ as the employee fulfills the duties of ~~the~~ their job description in addition to having the ability to interpret if called upon. Our application ~~instructions~~ for both electric and broadband services ~~and instructions on how to apply for service are~~ available in Spanish on our website and our automated telephone system ~~also gives instruction for Spanish speaking callers. Customer Service Representatives have also been trained on the use of Google Translate and our Call Center Services Contractor for Broadband services maintains a subscription for multi-lingual interpreter conferencing services. The link to Google Translate is located on our website and will allow users to translate the full website to the language of their choice.~~ These are relatively low-cost solutions.

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~~Since most of the contact a customer will have with BRIGHTRIDGE is during the application for service process or in regards to a billing question, the main method for assistance will continue to be via the website or our interpreters either in person or over the telephone. It is a relatively low cost solution.~~

III. Language Assistance

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to BRIGHTRIDGE services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language. BRIGHTRIDGE will normally utilize interpretation services provided by our bilingual employees, [contractor subscriptions to multi-lingual interpreter conferencing services](#), or a [web-based program such as Google Translate if an interpreter is not available](#).

BRIGHTRIDGE will utilize the interpretation services based on the need expressed by the individual. Employees of the Customer Support Department have been trained on how to identify a LEP person and know how to [contact each of our bilingual employees, obtain our various methods of interpretation services.](#)

A. Language Assistance Measures

Since there are a very low percentage of customers that qualify as LEP according to the U.S. Census, BRIGHTRIDGE presently does not take any additional measures beyond those outlined above. BRIGHTRIDGE will monitor the effectiveness of this program and will provide interpretation methods for other languages as determined necessary by BRIGHTRIDGE to ensure people that qualify as LEP are provided access to our services.

Other measures will be evaluated as the need arises, but the primary language assistance measure will continue to be the translated instructions provided via the telephone system, the company website, [a web-based interpretation service such as Google Translate](#), and on-site bilingual employees.

IV. Staff Training

The following training is provided to BRIGHTRIDGE Customer Support employees:

1. Information on LEP responsibilities.
2. Contact information for bilingual employees.
3. Steps to be taken in tracking of language assistance requests.
4. Location of translated information on BRIGHTRIDGE website.
5. Instructions on translated menu option via telephone system.

V. Translation of Documents

Full instructions for customers applying for service are available [in Spanish](#) on our website. [in Spanish. The link to Google Translate is located on our website and will allow users to translate the full website to the language of their choice.](#)

VI. Formal Interpreters

BRIGHTRIDGE will continue to work through bilingual employees and translated information via our company website as the main source of formal interpreters to assist customers with application for service.

VII. Informal Interpreters

Informal interpreters may include the family members, friends, legal guardians, service representatives or advocates of the LEP customer. BRIGHTRIDGE staff will determine whether it is appropriate to rely on informal interpreters, depending upon the circumstances and subject matter of the communication. However, in many circumstances, informal interpreters, especially children, are not competent to provide quality and accurate interpretations. There may be issues of confidentiality, competency or conflict of interest. These informal interpreters will be used on a case by case basis.

An LEP person may use an informal interpreter of his or her own choosing and at their expense, either in place or as a supplement to translation services BRIGHTRIDGE offers.

VIII. Outside Resources

Outside resources may include community volunteers and may be used at public or informal meetings or events.

IX. Monitoring and Updating

This plan is designed to be flexible and should be viewed as a work in progress. As such it is important to consider whether new documents and services need to be made accessible for LEP persons. BRIGHTRIDGE will monitor changes in demographics and types of services and the LEP will be reviewed periodically to assess and update the plan as needed.

X. Dissemination of the BRIGHTRIDGE LEP Plan

The plan will be posted on the BRIGHTRIDGE website at BRIGHTRIDGE.com. Questions or comments should be submitted to the Human Resources Department of BRIGHTRIDGE at:

BRIGHTRIDGE
Attn: Human Resources
PO Box 1636
Johnson City, TN 37605

BrightRidge SmartHub Account Terms and Conditions
Effective March 23, 2022

Exhibit B

SmartHub Online Account Management Usage Agreement

You may use BrightRidge’s online account access system (also referred to as “SmartHub”) if you are a customer or prospective customer of Johnson City Energy Authority dba BrightRidge (“BrightRidge”) and have agreed to utilize SmartHub by properly registering a User ID and password consistent with these BrightRidge Online Account Terms and Conditions. Use of SmartHub is furnished subject to the BrightRidge Rules and Regulations, which covers activities related to electrical service and may be found at <https://www.BrightRidge.com/resources/-new-resources/>, and the BrightRidge Broadband Terms and Conditions, which covers activities related to internet, voice, video and other telecommunications related services, which may be found at <https://www.myBrightRidge.com/resources/>. BrightRidge has a Privacy Notice within the Resources section of its website <https://www.mybrihtridge.com/resources/> that outlines our policy regarding our efforts to protect your privacy and your rights. All use of SmartHub is subject to this Agreement. Use of SmartHub is voluntary and your use of SmartHub constitutes your acceptance of the terms and conditions set forth in this Agreement.

Online Account Management Service

SmartHub allows you to access online services specific to your BrightRidge account(s). Available services under the SmartHub umbrella include online billing and payment, service signup, account settings for notifications, as well as other account-related information and analysis tools (Some services are also available, in whole or in part, without the use of SmartHub).

BrightRidge reserves the right to modify or discontinue any or all services or features of SmartHub at any time without notice, or to offer specific programs only to customers meeting applicable qualifications. Subject to satisfying the qualifications for a particular program, you may elect to use one or more of the features available without being obligated to use them all.

Customer Requirements

Specifically, by enrolling in SmartHub you agree:

You are subject to the current and in effect SmartHub Online Account Terms and Conditions which may be changed or amended from time to time with or without notice, by selecting the “I Agree” button when registering for SmartHub, you are confirming that you accept these SmartHub Online Terms and Conditions (or any future modifications thereof) as a pre-condition to your being granted access to SmartHub. When you meet the enrollment requirements you will receive an e-mail message from BrightRidge confirming your SmartHub registration.

Password Guidelines

The unique User ID and password (collectively, “Password”) selected by you to access SmartHub must be held on a confidential basis by you and not given to others. Anyone with knowledge of your Password

can gain access to SmartHub and all the services available within SmartHub. If you have forgotten or lost your Password, online reminder capabilities are available to assist you in remembering it. As a condition of use, you must notify BrightRidge immediately if you believe your Password has been lost or stolen. In such event, you can contact BrightRidge immediately by email or by calling 423-952-5000. You are responsible for maintaining the Password against improper disclosure. One of the terms and conditions of this agreement is that you are solely responsible for any claims, losses, damages, expenses, and costs incurred by the use of your Password by others. BrightRidge reserves the right to reset any Passwords.

Email and Text Notifications from BrightRidge

By registering for SmartHub, you will automatically receive email notifications when your BrightRidge bill is issued. These "bill ready" notifications will be sent to your current email address on file for each BrightRidge account you have set up online. (Since these are transaction notices pursuant to the agreement between you and BrightRidge, you may not "opt-out" from billing-related communications related to SmartHub.) You have the ability to add, change, or remove various notifications regarding emails and text messages. BrightRidge does not send text messages to your mobile number without your specific authorization. Note that charges and fees by your mobile provider that are outside the control of BrightRidge may apply to you based on the selection that you have made regarding text notifications.

Change of Contact Information and Payment Information

As a SmartHub user, it is your responsibility to ensure that the contact and other required information in your user profile is current and accurate, and updated promptly if necessary, including your name, address, phone number and email address. Your email address is especially important as accounts are tied to the email that you designate. SmartHub is designed so that you control your changes. However, if you need assistance using SmartHub or want BrightRidge to make changes on your behalf, please contact BrightRidge's Customer Service by email or by calling 423-952-5000.

In the event of any change to your email address, you are obligated to promptly notify BrightRidge by entering this change within the secure Profile section of SmartHub. You must provide BrightRidge your current email address(es) to permit BrightRidge to forward your bill ready notification to your email. You are responsible for paying BrightRidge bills regardless of whether you receive email notifications of any bill issued or not. BrightRidge will forward any past due payment, collections, or shut-off notices through the U.S. mail.

For those customers that use online payment options, such as ACH payments using your banking information or credit/debit card payments, you are solely responsible for the accuracy of the information you have entered either as a one-time payment, stored payment, scheduled payment, or auto-pay method. In the event that you entered your banking or debit/credit card information incorrectly, BrightRidge is not responsible for any late fees or returned item charges that may be assessed to your account. In addition, BrightRidge is not responsible for charges from your bank or credit card provider. Examples of activities that may require you to update your information within SmartHub may include getting a new bank account or changing credit card providers. You are obligated

Auto pay enrollment authorizes BrightRidge to automatically debit your bank account or debit/credit card for payment. You agree that each auto-pay payment shall be the same as if it were an instrument personally signed by you. BrightRidge may impose processing fees and any bank charges for accounts found to contain insufficient funds. Customers participating in the budget billing program will be drafted the full amount due at the end of the budget year (June or July). The due date and draft date are the due date.

The scheduled payments feature within SmartHub allows you to schedule one or payments in advance for your BrightRidge account(s) and cancel any scheduled payments previously established. You have the option to choose to use an existing stored credit/debit card or bank account or enter a new payment method. Payments may be scheduled up to 90 days in advance. However, any scheduled payments set up past the due date are subject to late fees or disconnect of service if the payment is received after the

Online payments may have a delay in posting when made after-hours, weekends, and holidays. While the system normally reflects your payment within minutes after it is processed, there may be posting delays during maintenance windows that normally take place after normal business hours, which may include weekends and holidays.

- (a) Automated Clearing House (ACH) transaction where you authorize a payment to be deducted from designated bank account. This option is available for all customer types and classes.
- (b) Debit/Credit card where you authorize a payment to be charged to your designated debit/credit card. This option is available to residential and small commercial customer classes only.

Online billing allows you to view bills for the BrightRidge account(s) you have linked to SmartHub. Online payment options allow you to pay your BrightRidge bill(s) online. BrightRidge allows two types of online payments that may be submitted as a one-time payment, scheduled payments, or recurring payments via the following options:

Online Billing and Payment

BrightRidge provides an online portal and a mobile application that may be used on a mobile phone or tablet. Internet access is required to access SmartHub. You are responsible to acquire your own internet connectivity to access SmartHub. Additionally, you are responsible for any Internet service fees that may be assessed by your mobile phone and/or internet service provider.

Method of Access to SmartHub

to promptly notify BrightRidge by entering and/or updating these changes within SmartHub. If you have set up recurring payments to occur automatically according to a specified frequency, these payments will continue to be processed against your current banking or debit/credit card information on file until you change that information. Also, if you have stored your banking information or credit card information to make one-time payments within SmartHub, this information does not update unless you update this information within SmartHub. BrightRidge's Customer Service Department is available to help with questions regarding how to add, change or update banking and credit card information.

same unless the due date falls on a holiday. In this instance, drafts will be on the business day before the due date.

Paperless Billing

Signing up for SmartHub does not automatically set your account to no longer receive a paper bill. The account setting gives you the ability to choose how you receive your bill. If you choose a paperless billing option then each month, you will automatically receive an email notification when your BrightRidge bill is issued. BrightRidge will forward any past due payment, collections, or shut-off notices through U.S. mail.

If you choose to utilize the paperless billing option, keeping your email up to date is imperative as you will not receive a paper bill to remind you.

Other Terms and Conditions

Information under the Usage tab within SmartHub presents interval metering data on your electric account. This data may be used for estimates and projections until such time as it is billed. Reported data goes through a verification process that takes 48 to 72 hours before being finalized. This means that the hourly or daily electric usage seen online could occasionally include estimated data or may be missing data because of temporary system availability, communication issues with the meter or other technical issues.

Certain pages and tabs on the SmartHub web site are hosted by a third party. On those pages and tabs, the third party's terms and conditions apply in addition to BrightRidge's terms and conditions. The third party's privacy policy applies instead of BrightRidge's privacy policy.

BrightRidge reserves the right in its sole discretion to prevent any User from accessing this web site in connection with SmartHub. Without limiting the generality of the foregoing, BrightRidge may suspend use of SmartHub for any User using any automatic device to retrieve, index, "scrape," "data mine," or otherwise gather SmartHub content, or reproduce or circumvent the navigational structure or presentation of SmartHub, or where circumstances reasonably indicate that passwords may have been obtained by third parties or that unauthorized access may be occurring, such as the existence of excessive logins or attempted logins within a short period of time.

SmartHub will be operated and subject to applicable laws, rules, regulations, and decisions of federal and state governmental authorities having jurisdiction, as in effect from time to time. Information that you supply to BrightRidge using SmartHub may be used for purposes of collecting debts and other payment amounts owed to BrightRidge.

Use of SmartHub, and any BrightRidge service accessed, is at your sole risk. Although BrightRidge has endeavored to create a secure and reliable service, the confidentiality or security of any communication transmitted or accessible over the Internet cannot be guaranteed. We do encrypt your financial account numbers on our systems and in transmission and comply with all applicable laws in managing such information. Accordingly, BrightRidge and its affiliates are not responsible for the security of any

information transmitted or accessed using the Internet. Actual or attempted unauthorized use of this SmartHub service may result in criminal and/or civil prosecution.

BrightRidge reserves the right to change these BrightRidge SmartHub Account Terms and Conditions as needed from time to time.