

Data protection information for the EnBW E-Cockpit app

Date: November 16, 2020

At EnBW Energie Baden-Württemberg AG, we take the protection of your personal data very seriously. In the following, we would like to inform you about which personal data we collect when downloading and using our app, how we process this data and what rights you have in connection with your personal data.

1. Who is responsible for processing my data?

The controller responsible for the processing of your data is:

EnBW Energie Baden-Württemberg AG
Durlacher Allee 93
76131 Karlsruhe, Germany
[+49 721 63-00](tel:+497216300).
kontakt@enbw.com

If you have any questions, suggestions or complaints, you can contact us using the contact details provided above.

2. How can I contact the Data Protection Officer?

You can contact our Data Protection Officer at datenschutz@enbw.com. They will be happy to answer any questions you may have about data protection.

3. How will my data be processed when I download and use the app?

We only collect and process your data if we have either received your consent to data processing or if processing is permitted by law.

3.1. Data processing when downloading the app

When you download our app from an app store, the necessary information is transferred to the app store, in particular the user name, e-mail address and customer number of your account, the time of download, payment information and the individual device number. This is not done by us, but in the context of your usage relationship with the respective app store. We have no influence over this data transfer. Further information can be found in the privacy policy of the respective app store.

3.2. Data processing when using the app

3.2.1. Google Firebase Crashlytics

In this app, we use Google Firebase to detect errors that occur ("Crashlytics"). The data collected in this way helps us to continuously improve the stability of the app and further develop the app in the interests of all end users.

In the case of the aforementioned collection, IP addresses are only processed in anonymized form. When "Crashlytics" is used, we process the data on the basis of Article 6 (1) f) GDPR [General Data Protection Act] in order to safeguard our legitimate interest, which arises from the aforementioned purposes.

This data will be deleted after 90 days at the latest.

The information collected as part of Google Firebase is transmitted to Google in Ireland or the USA and stored there. The adequate level of data protection is ensured by means of concluded standard contractual clauses (available at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:039:0005:0018:EN:PDF>).

Data is only collected in pseudonymised form and transmitted to Google Firebase. In the privacy settings, you can select whether you want to send the data to Google Firebase or not.

Firebase's privacy policy can be viewed here: <https://firebase.google.com/support/privacy>.

3.2.2. Apple Maps (iOS only)

For the purposes of map display within our app, we use Apple Maps, a service provided by Apple Inc. (Infinite Loop, Cupertino, CA 95014, USA; "Apple"). When using our app, Apple receives information that you are using our app as well as information about your use of the map functions. If you are logged in to Apple, this information will also be assigned to your Apple user account. If you do not agree with this, you must log out of your Apple account before using our app. The legal basis for data processing is Article 6 (1) f) GDPR. We have no influence on data collection and processing by Apple.

Further information about data processing by Apple can be found in their privacy policy.

It can be found at <https://www.apple.com/de/privacy/>.

3.2.3. Google Maps (Android only)

For the purposes of map display within our app, we use Google Maps, a service of Google Inc. (1600 Amphitheatre Parkway, Mountain View, CA 94043, USA; "Google"). When using our app, Google receives information that you are using our app as well as information about your use of the map functions. If you are logged in to Google, this information will also be assigned to your Google user account. If you do not agree with this, you must log out of your Google account before using our app. The legal basis for data processing is Article 6 (1) f) GDPR. We have no influence on data collection and processing by Google.

Further information about data processing by Google can be found in their privacy policy.

It can be found at <https://policies.google.com/privacy?hl=en&gl=en>.

3.2.4. Permissions

The app requests the following permission and uses them for the purposes shown below:

Location:

Display of own location on the map

Mobile data services:

Provision of map and system data

3.2.5. Microsoft Azure Directory (when logging in - only for registered users)

We use Microsoft Azure Active Directory, a service provided by Microsoft Corporation (One Microsoft Way, Redmond, WA 98052-6399, USA) to authenticate users when they log in (only for registered users). (See chapters 5 and 11)

Registered users are stored in the specific Azure Active Directory (EnBW Generation Reporting) with first name, last name and e-mail address (Microsoft account, see <https://account.microsoft.com>).

When logging in, the user is informed that EnBW (EnBW Generation Reporting) wants to log in. Individual data of the Microsoft account is used for authentication purposes (surname, first name, e-mail address). (See chapters 5 and 11)

You can accept this authentication or cancel the process.

3.3. Further processing of your data due to legal requirements

Insofar as we are subject to legal obligations that require further processing of your data, we will also process your data for the purposes specified by law. The legal basis for this data processing is Article 6 (1) c) GDPR in conjunction with the standard, which contains the respective legal obligation.

3.4. Further processing of your data based on your consent

In addition to the purposes explicitly stated here, data processing takes place if and insofar as you have consented to data processing in accordance with Article 6 (1) a) GDPR.

The purposes of data processing arise from the respective consent given.

4. To which categories of recipients will my data be transferred?

We treat your data confidentially. Within EnBW Energie Baden-Württemberg AG, only the departments and employees who need this to fulfill the aforementioned purposes will have access to your data.

We will only transfer personal data to third parties if this is necessary and legally permitted for the aforementioned purposes or if you have given your consent in advance.

In addition to the recipients already specifically named above, we also use the help of other service providers (processors) to fulfill our obligations.

The following categories of recipients can receive data:

- IT service providers

EnBW Energie Baden-Württemberg AG is part of the EnBW Group and cooperates with other Group

companies on a collaborative basis. Personal data is also only transferred to other Group companies if there is a legal basis for this and if this is necessary for one of the aforementioned purposes.

5. Will my data also be transferred to recipients in countries outside the European Economic Area? How is an adequate level of data protection ensured?

We also transfer your data to service providers and vicarious agents located in third countries who carry out data processing there. Compliance with an adequate level of data protection can either be ensured by means of standard contractual clauses (model clauses available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:039:0005:0018:EN:PDF>) or by means of an adequacy decision, or if you have given your consent to this. In the event of a data transfer to a third country, there may nevertheless be a risk that no adequate level of data protection in accordance with European law exists and that data subject rights may not be fully enforced. Specifically, we transfer your data to the following third countries:

- IT service providers in the USA

Access from another country is also possible for data transfers by means of administrative access, as the systems are often operated according to the follow-the-sun principle. However, your data will not be stored in other countries. In these cases, data access will also only take place if we have ensured compliance with an adequate level of data protection or if you have given your consent.

6. What about the security of my data?

We use state-of-the-art technical and organizational security measures to protect the data you have provided to us from accidental or intentional manipulation, loss, destruction or access by unauthorized persons. Our security measures are continuously improved in line with technological developments.

7. What applies to children's data?

We strongly encourage legal guardians to supervise their children's online activities. Children should not transfer personal data to us or use our apps without the consent of parents or legal guardians. We do not knowingly request any personal data from children and do not knowingly process them.

8. What rights do I have with regard to my data?

With regard to the processing of your personal data, you have the right, in accordance with Article 15 GDPR, to request information about the data processed by us about you. Furthermore, you have the right to have data corrected in accordance with Article 16 GDPR or deleted in accordance with Article 17 GDPR, as well as to restrict processing in accordance with Article 18 GDPR. Furthermore, in accordance with Article 20 GDPR, you have the right to request the return of the personal data provided by you in a structured, commonly used and machine-readable format. With regard to the right of access, the restrictions of section 34 BDSG [Federal Data Protection Act] apply and with regard to the right to erasure, the exceptions of section 35 BDSG apply.

Right to object Art. 21 GDPR

Insofar as we process your data on the basis of legitimate interest (Article 6 (1) f) GDPR) or for the performance of a public task (Article 6 (1) e) GDPR) and if grounds against this processing arise based on your particular situation, you have the right to object to this processing in accordance with Article 21 (1) GDPR. In the event of an objection, we will no longer process your data for these purposes, unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms or the processing serves the establishment, exercise or defense of legal claims.

In accordance with Article 21 (2) and (3) GDPR, you have the right to object – without restriction – to any kind of processing for direct marketing purposes.

You can send your objection to us at any time without any formalities. For the best possible processing, please use the following contact details:

EnBW Energie Baden-Württemberg AG
Durlacher Allee 93
76131 Karlsruhe, Germany
e-cockpit@enbw.com

Please note that you can only implement your objection to the use of tracking procedures in our app yourself. It is not technically possible to do this centrally. We have enclosed an explanation above for every tracking procedure for which you must implement the objection yourself.

9. Can I withdraw the consent I have given?

If we process your data on the basis of your consent, you have the right to withdraw your consent at any time. Your data will then no longer be processed for the purposes covered by the consent. Please note that the lawfulness of the data processing, which took place before the withdrawal, is not affected by the withdrawal. Please refer to the previous information or the information in the respective consent for a detailed explanation of your withdrawal. Please send your withdrawal to:

EnBW Energie Baden-Württemberg AG
Durlacher Allee 93
76131 Karlsruhe, Germany
e-cockpit@enbw.com

Where technically possible, your withdrawal of consent will be implemented centrally or it will be explained to you how you can implement the withdrawal yourself, in the event we are not able to implement it centrally due to some technical procedures.

10. Do I have a right to lodge a complaint with a supervisory authority?

If you believe that the processing of your personal data violates applicable law, you can contact a data protection supervisory authority at any time with a complaint in accordance with Article 77 GDPR. This applies without prejudice to any other administrative or judicial remedies.

11. Do I have to provide the data or is it necessary to provide the data for the conclusion of the contract?

As a registered user, you have access to additional functions and information in our E-Cockpit app. This requires the provision of your personal data. (See chapter 3.2.5) As an unregistered user, you can use our E-Cockpit app anonymously with publicly accessible data.

12. Is automated decision making based on my data? And if so, how will this be done and what effects will this have on me?

No, automated decision making does not take place.

13. Can this information be changed? And if so, how can I find out about it?

As our data processing is subject to change, we will also amend our data protection information from time to time. We will inform you of any changes in good time. The current status of these data protection regulations can be found here.