

# BakerHostetler

## Baker&Hostetler LLP

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July 6, 2021

### VIA E-MAIL (CONSUMER@AG.IOWA.GOV)

Consumer Protection Division  
Security Breach Notifications  
Office of the Attorney General of Iowa  
1305 E. Walnut Street  
Des Moines, IA 50319-0106

*Re: Incident Notification*

Dear Sir or Madam:

We are writing on behalf of our client, Invenergy LLC (“Invenergy”), to notify you of a security incident involving 4,436 Iowa residents.

Invenergy recently learned of a data security incident involving some of its computer systems. Upon identifying the incident, Invenergy immediately secured the systems involved and commenced an investigation with the assistance of a cybersecurity forensics firm. Through the investigation, Invenergy determined that an unauthorized party may have accessed certain Invenergy computer systems between April 21, 2021 and May 17, 2021.

The investigation was unable to determine whether the unauthorized party viewed any files on Invenergy’s servers. However, out of an abundance of caution, Invenergy reviewed the files on its systems to identify individuals whose personal information may have been accessible to the unauthorized party. On June 11, 2021, Invenergy determined that the files contain the name and one or more of: Social Security number and/or financial account information of 4,436 Iowa residents.

Beginning on July 6, 2021, Invenergy is providing written notice via United States Postal Service mail to the Iowa residents<sup>1</sup> whose personal information was potentially accessed by the unauthorized party. To help monitor for any potential misuse of personal information, Invenergy

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<sup>1</sup> This notice does not waive any possible objection by Invenergy that Iowa lacks personal jurisdiction over it regarding any claims related to this incident.

July 6, 2021

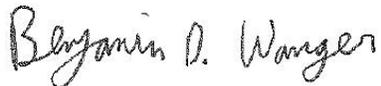
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is offering a complimentary two-year membership in credit monitoring and identity theft protection services through Kroll to the Iowa residents involved in this incident. Invenenergy has also advised the notified residents to monitor their financial statements for fraudulent transactions. The notice letter provides a dedicated, toll-free number for notice recipients to call with any questions they may have.

To help prevent a similar incident from occurring in the future, Invenenergy has implemented additional security measures to enhance the security of its network and retrained its employees concerning data security.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Benjamin D. Wanger".

Benjamin D. Wanger  
Counsel

Enclosure

# Invenergy

<<Date>> (Format: Month Day, Year)

<<first\_name>> <<middle\_name>> <<last\_name>> <<suffix>>  
<<address\_1>>  
<<address\_2>>  
<<city>>, <<state\_province>> <<postal\_code>>  
<<country>>

Dear <<first\_name>> <<middle\_name>> <<last\_name>> <<suffix>>,

Invenergy has learned of a data security incident involving some of its computer systems. Some of your information may have been involved. As such, we are writing to notify you of the incident, note the measures we have taken to date, and provide you with some steps you are encouraged to take to ensure your personal information is secure.

Upon identifying the incident, Invenergy immediately secured the systems involved and commenced an investigation with the assistance of a cybersecurity forensics firm. Through the investigation, we determined that an unauthorized party may have accessed certain Invenergy computer systems between April 21, 2021 and May 17, 2021. On June 11, 2021, we determined that the files stored on those computer systems may have included your financial account number and/or Social Security number.

As such, and out of an abundance of caution, we are notifying you of this incident. We encourage you to remain vigilant by regularly reviewing the credit reports and financial account statements you receive for any unauthorized activity. If you see charges or activity you did not authorize, please contact the relevant provider immediately.

As a precaution, Invenergy has arranged for Kroll, a global credit and risk management firm, to provide you with identity monitoring services, including Credit Monitoring, Fraud Consultation, and Identity Theft Restoration, at no cost to you. For more information on Kroll Identity Monitoring, including instructions on how to activate your complimentary two-year membership, please visit the below website:

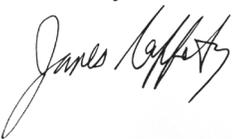
Visit <https://enroll.krollmonitoring.com> to activate and take advantage of your identity monitoring services.

*You have until **September 14, 2021** to activate your identity monitoring services.*

Membership Number: <<subscriber\_number>>

To help prevent a similar incident from occurring in the future, we have implemented additional measures to enhance the security of our network. If you have any questions, please call our dedicated call center at (855) 731-3070 Monday through Friday from 8:00 am to 5:30 pm Central Time, excluding major US holidays.

Sincerely,



James Rafferty  
Senior Vice President, Administration  
(855) 731-3070



## TAKE ADVANTAGE OF YOUR IDENTITY MONITORING SERVICES

You have been provided with access to the following services from Kroll:

### **Triple Bureau Credit Monitoring**

You will receive alerts when there are changes to your credit data at any of the three national credit bureaus—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you'll have the option to call a Kroll fraud specialist, who will be able to help you determine if it is an indicator of identity theft.

### **Fraud Consultation**

You have unlimited access to consultation with a Kroll fraud specialist. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.

### **Identity Theft Restoration**

If you become a victim of identity theft, an experienced Kroll licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and can do most of the work for you. Your investigator will be able to dig deep to uncover the scope of the identity theft, and then work to resolve it.

## ADDITIONAL STEPS YOU CAN TAKE

We remind you it is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

- *Equifax*, PO Box 740241, Atlanta, GA 30374, [www.equifax.com](http://www.equifax.com), 1-800-685-1111
- *Experian*, PO Box 2002, Allen, TX 75013, [www.experian.com](http://www.experian.com), 1-888-397-3742
- *TransUnion*, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com), 1-800-916-8800

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

- *Federal Trade Commission*, Consumer Response Center, 600 Pennsylvania Avenue NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)

We recommend that you review the statements you receive from your health care providers. If you see charges for services you did not receive, please contact the provider immediately.

**Fraud Alerts:** There are two types of general fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for one year. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years.

To place a fraud alert on your credit reports, contact one of the nationwide credit bureaus. A fraud alert is free. The credit bureau you contact must tell the other two, and all three will place an alert on their versions of your report.

For those in the military who want to protect their credit while deployed, an Active Duty Military Fraud Alert lasts for one year and can be renewed for the length of your deployment. The credit bureaus will also take you off their marketing lists for pre-screened credit card offers for two years, unless you ask them not to.

**Credit or Security Freezes:** You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, which makes it more difficult for identity thieves to open new accounts in your name. That's because most creditors need to see your credit report before they approve a new account. If they can't see your report, they may not extend the credit.

*How do I place a freeze on my credit reports?* There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company. For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

- **Experian Security Freeze**, PO Box 9554, Allen, TX 75013, [www.experian.com](http://www.experian.com)
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com)
- **Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com)

You'll need to supply your name, address, date of birth, Social Security number and other personal information.

After receiving your freeze request, each credit bureau will provide you with a unique PIN (personal identification number) or password. Keep the PIN or password in a safe place. You will need it if you choose to lift the freeze.

*How do I lift a freeze?* A freeze remains in place until you ask the credit bureau to temporarily lift it or remove it altogether. If the request is made online or by phone, a credit bureau must lift a freeze within one hour. If the request is made by mail, then the bureau must lift the freeze no later than three business days after getting your request.

If you opt for a temporary lift because you are applying for credit or a job, and you can find out which credit bureau the business will contact for your file, you can save some time by lifting the freeze only at that particular credit bureau. Otherwise, you need to make the request with all three credit bureaus.

You may contact Invenergy LLC via U.S. mail at One South Wacker Drive, Suite 1800, Chicago, IL 60606 or via telephone at 312-224-1400.

### **Additional Information for Residents of the Following States**

**Connecticut:** You may contact and obtain information from your state attorney general at: *Connecticut Attorney General's Office*, 165 Capitol Ave, Hartford, CT 06106, 1-860-808-5318, [www.ct.gov/ag](http://www.ct.gov/ag)

**District of Columbia:** You may contact and obtain information from your attorney general at: Office of the Attorney General for the District of Columbia, 441 4th Street, NW, Washington, DC 20001, 1-202-727-3400, [www.oag.dc.gov](http://www.oag.dc.gov)

**Maryland:** You may contact and obtain information from your state attorney general at: Maryland Attorney General's Office, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, [www.oag.state.md.us](http://www.oag.state.md.us)

**New York:** You may contact and obtain information from these state agencies:

- New York Department of State Division of Consumer Protection, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, 518-474-8583 / 1-800-697-1220, <http://www.dos.ny.gov/consumerprotection>
- New York State Office of the Attorney General, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov>

**North Carolina:** You may contact and obtain information from your state attorney general at: North Carolina Attorney General's Office, 9001 Mail Service Centre, Raleigh, NC 27699, 1-919-716-6000 / 1-877-566-7226, [www.ncdoj.gov](http://www.ncdoj.gov)

**Rhode Island:** This incident involves XX individuals in Rhode Island. Under Rhode Island law, you have the right to file and obtain a copy of a police report. You also have the right to request a security freeze, as described above. You may contact and obtain information from your state attorney general at: Rhode Island Attorney General's Office, 150 South Main Street, Providence, RI 02903, 1-401-274-4400, [www.riag.ri.gov](http://www.riag.ri.gov)

**West Virginia:** You have the right to ask that nationwide consumer reporting agencies place "fraud alerts" in your file to let potential creditors and others know that you may be a victim of identity theft, as described above. You also have a right to place a security freeze on your credit report, as described above.

**A Summary of Your Rights Under the Fair Credit Reporting Act:** The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Your major rights under the FCRA are summarized below. For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

- You must be told if information in your file has been used against you.
- You have the right to know what is in your file.
- You have the right to ask for a credit score.
- You have the right to dispute incomplete or inaccurate information.
- Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.
- Consumer reporting agencies may not report outdated negative information.
- Access to your file is limited.
- You must give your consent for reports to be provided to employers.
- You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.
- You have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization.
- You may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.