



**OFFICE OF
REGULATORY STAFF**

Consumer Services Division

Account Security and Privacy

**Water and Wastewater
Workshop**

January 31, 2013

- IDENTITY THEFT
- FACTA
- PERSONAL INFORMATION
- WHAT IS A CREDITOR?
- 2010 CHANGES

IDENTITY THEFT

A fraud committed or attempted using personal information of another person without authority

IDENTITY THEFT

Identity theft thought to be largest growing crime in the U.S.

Estimated 19% of identity theft occurs from phone or utilities fraud

WHAT IS PERSONAL INFORMATION?

INFORMATION THAT CAN BE USED TO DISTINGUISH A PERSON'S IDENTITY

- **NAME**
- **SOCIAL SECURITY NUMBER**
- **ADDRESSES**
- **TELEPHONE NUMBERS**
- **DRIVERS LICENSE NUMBERS**
- **ACCOUNT PASSWORDS**
- **ACCOUNT NUMBERS**

What is FACTA?

Fair and Accurate Credit
Transaction Act
(2003)

FACTA

CREATED TO PROTECT CONSUMERS FROM
FRAUD AND IDENTITY THEFT

FTC IS THE REGULATING BODY

EFFECTIVE 2003

UTILITIES WERE TO COMPLY BY MAY 1, 2009

FTC DELAYED ENFORCEMENT UNTIL DEC 2010

2010 CHANGES

FACTA

UNDER THE ORIGINAL FACTA, UTILITIES HAD TO ESTABLISH POLICIES AND PROCEDURES TO IDENTIFY RISKS TO ACCOUNT HOLDERS AND PROTECT THEM

FACTA

FACTA identified utilities as 'creditors'

A creditor is a business or organization that holds consumer accounts.

FACTA 2010 CHANGES

Definition of creditor amended

Circumstances limited under which creditors are
covered by FACTA

2010 Changes

Three general criteria in the everyday course of business:

Obtains or uses credit reporting agencies
(Ex. Account Set-up)

Furnish information to credit reporting agencies (Ex. Delinquent accounts)

Extend credit/advance funds

Recommendations

Whether or not covered under FACTA, it is recommended that utilities implement safeguards to protect customer information.

Speak with your legal counsel or accountants on storing and protection of personal records

THANK YOU

Donna Tuttle

Ni America
Customer Security