



**PERSONAL INFORMATION PROTECTION ACT  
Breach Notification Decision**

<b>Organization providing notice under section 34.1 of PIPA</b>	Rockyview Gas Co-op Ltd. (Organization)
<b>Decision number (file number)</b>	P2020-ND-110 (File #015176)
<b>Date notice received by OIPC</b>	July 25, 2019
<b>Date Organization last provided information</b>	July 25, 2019
<b>Date of decision</b>	September 24, 2020
<b>Summary of decision</b>	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify those individuals pursuant to section 37.1 of the <i>Personal Information Protection Act</i> (PIPA).
<b>JURISDICTION</b>	
<b>Section 1(1)(i) of PIPA “organization”</b>	The Organization is an “organization” as defined in section 1(1)(i) of PIPA.
<b>Section 1(1)(k) of PIPA “personal information”</b>	<p>The incident involved all or some of the following information:</p> <ul style="list-style-type: none"><li>• name,</li><li>• address,</li><li>• account number, and</li><li>• account history of approximately 180 days.</li></ul> <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.</p>
<b>DESCRIPTION OF INCIDENT</b>	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
<b>Description of incident</b>	<ul style="list-style-type: none"><li>• On July 9, 2019, the Organization prepared notices for customers with overdue accounts.</li><li>• When printing the notices, the Organization did not realise that the printer was set to double sided. This resulted in half of the customers’ arrears notices being printed on the reverse of another customer’s notice.</li></ul>

	<ul style="list-style-type: none"> <li>The breach was discovered on July 15, 2019 when a customer brought the error to the Organization’s attention.</li> </ul>
<b>Affected individuals</b>	The incident affected 13 individuals residing in Alberta.
<b>Steps taken to reduce risk of harm to individuals</b>	<ul style="list-style-type: none"> <li>Initiated printing controls and will continue to investigate additional controls that will mitigate future risk.</li> <li>Offered to create new account numbers for members.</li> <li>Will print all notices on a printer for which the default setting is not double sided.</li> <li>Inspecting notices prior to sending in the mail.</li> </ul>
<b>Steps taken to notify individuals of the incident</b>	Affected individuals were notified by letter on July 22, 2019.
<b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b>	
<b>Harm</b> Some damage or detriment or injury that could be caused to affected individuals as a result of the incident. The harm must also be “significant.” It must be important, meaningful, and with non-trivial consequences or effects.	<p>The Organization reported “Other co-operative members may have seen address information or account history.”</p> <p>In my view, a reasonable person would consider that the contact and account information at issue could be used to cause the harms of identity theft and fraud. The information related to being in arrears could be used to cause the harms of humiliation and embarrassment. These are significant harms.</p>
<b>Real Risk</b> The likelihood that the significant harm will result must be more than mere speculation or conjecture. There must be a cause and effect relationship between the incident and the possible harm.	<p>The Organization reported that “The liklihood (sic) of harm is minimal.”</p> <p>In my view, a reasonable person would consider that the likelihood of harm is decreased because the breach did not result from malicious intent, but rather human error. Further, given all the unintended recipients are members of the Organization and known to the Organization, the likelihood of identity theft and fraud may be reduced. However, for the same reason, the likelihood of humiliation and embarrassment is increased, due to possible personal relationships in this situation. The Organization did not report on whether it requested that the unintended recipients return the information in question to the Organization or whether or not the Organization requested that the unintended recipients securely destroy and not circulate the information in question. This increases the likely that significant harm may result.</p>
<b>DECISION UNDER SECTION 37.1(1) OF PIPA</b>	
Based on the information provided by the Organization and given the circumstances of the incident, I have decided that there is a real risk of significant harm to the affected individuals.	

A reasonable person would consider that the contact and account information at issue could be used to cause the harms of identity theft and fraud. The information related to being in arrears could be used to cause the harms of humiliation and embarrassment. These are significant harms.

The likelihood of harm is reduced because the breach did not result from malicious intent, but rather human error. Further, given all the unintended recipients are members of, and known to, the Organization, the likelihood of identity theft and fraud may be reduced. However, for the same reason, the likelihood of humiliation and embarrassment is increased, due to possible personal relationships in this situation. The Organization did not report whether it requested that the unintended recipients return the information in question to the Organization or whether or not the Organization requested that the unintended recipients securely destroy and not circulate the information in question. This increases the likely that significant harm may result.

I require the Organization to notify the affected individuals in Alberta in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified affected individuals by letter on July 22, 2019, in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton  
Information and Privacy Commissioner