

Corporate Political Participation Practice

PSEG Practice 530-3 January 23, 2024

Purpose

Public Service Enterprise Group Incorporated ("PSEG" or "Company") takes an active role in the political process by communicating with government agencies and officials, participating in trade associations and other tax-exempt organizations, making political contributions and expenditures, and engaging in other activities to advance the interests of PSEG and its stakeholders.

PSEG must ensure that these activities are consistent with our Standards of Conduct, Core Commitments and legal obligations. This Practice sets forth expectations of all employees when: interacting with government officials, making political contributions or expenditures, hiring or promoting candidates with a connection to or referral from a political figure, and retaining certain entities who have relationships with or connections to political figures to provide goods or services to the Company.

Applicability

Applicability		
Line of Business	Applicable?	
PSEG Power	Yes	
PSEG Services	Yes	
PSE&G	Yes	
PSEG Long Island	Yes	

Scope

This Practice applies to all employees.

Definitions

- Covered Third Party: any of the following
 - Any entity employing a Political Figure, where the Political Figure will directly perform work for the Company.
 - Any entity with an owner, beneficial owner (i.e., someone who has a 10% or greater financial interest in a vendor or supplier), executive officer, or member of the Board of Directors who is: (i) a Political Figure; or (ii) the relative of a Political Figure.

- Entities who, at the time of the proposed engagement with the Company, are employed by a political campaign of a Political Figure or serve in a leadership position in a Political Action Committee.
- Entities who were referred to PSEG by Political Figures.
- Lobbying Activities: Lobbying is a legitimate means of informing a government agency, representative, or legislator about the interests of the Company and its stakeholders. Lobbying may include: (1) contact with legislators, senior regulatory officials, executive branch officials, and/or their staffs; (2) work done in preparation for those contacts; and (3) other efforts to influence legislative or administrative action.
- **Government Official:** Any official, officer, or employee of or candidate for a federal, state, local or municipal government department or agency or legislative body, whether elected, appointed, retained or otherwise employed. An "employee" of a government department, agency, or legislative body, for purposes of this definition, is an individual with a role or position that involves oversight of or influence over the Company's interests.
- Political Compliance Workflow: the process through which information about retentions
 of Covered Third Parties is submitted by the lines of business to the Office of Ethics &
 Compliance, the SVP Corporate Citizenship and the Executive Vice President and
 General Counsel for review.
- **Political Figure:** an individual who is a current, or former (within the last 10 years), (i) elected official; (ii) appointed official; or (iii) advisor to, or staff member for, an elected or appointed official. This definition excludes judicial law clerks.
- **Publicly available information:** information available to the public regarding the Covered Third Party. This can include, but is not limited to the following:
 - Job history; membership on a board, affiliation with a non-profit organization, or any organization with a political affiliation.
 - News coverage (e.g., a news article outlining the Covered Third Party's stance on a particular issue relevant to PSEG's business or reputational interests).
 - Known clients.
 - Social Media accounts of the Covered Third Party or any of its members.
 - Lobbying activities (available via NJELEC or relevant state resources).
 - o Political donations (see politicalmoneyline.com or similar resources).
 - Any other information that may be relevant to determining whether retaining the Covered Third Party would pose a conflict with the best interests of PSEG.
- Relative: spouse; domestic partner; civil union partner; son or daughter; father or mother; brother or sister; guardian or ward; aunt or uncle; niece or nephew; cousin; grandparent or grandchild; step, half, or in-law relationship; a person living in one's household; any other person with such a close bond as to suggest a nearly familial relationship (e.g., a fiancé).
- Review Panel: Representatives from Human Resources and Compliance who confer on an as needed basis to review certain candidates for hire or promotion.

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I. Interactions with Government Officials (Elected & Appointed), including Lobbying

How we interact and communicate with Government Officials has a significant impact on PSEG's credibility, reputation and ability to advocate on our behalf or on behalf of our stakeholders. The sections below outline guidance for interacting with both elected and appointed officials. In all instances, if an employee receives a request from a Government Official that the employee believes could be inconsistent with the Company's Standards of Conduct or related practices, the employee must contact the Office of Ethics & Compliance ("OEC") at ethics.compliance@pseg.com or the Senior Vice President Corporate Citizenship ("SVP Corporate Citizenship").

A. Elected Officials

Employees who, within the scope of their employment, interact with any elected Government Official, or a member of their staff, must clear the interaction in advance with the SVP Corporate Citizenship or their designee.

Note: This requirement does not apply to employees who interact with elected Government Officials, or their staff, for the following purposes: (1) to provide utility services – e.g., storm response, restoration of service, permits, traffic services or other immediate safety concerns; and/or (2) to support nuclear operations – e.g., inspections by government agencies, education of public officials.

B. Appointed Officials

Prior to an interaction with an appointed Government Official or a member of their staff, all employees must notify the:

- VP Regulatory & Deputy General Counsel if related to the BPU.
- Deputy General Counsel & RTO Strategy Officer if related to FERC.
- Managing Counsel Environmental if related to the DEP or EPA.
- Executive Vice President and General Counsel ("EVP & General Counsel") if related to any other appointed Government Official.

Note: the CEO and EVP and General Counsel are excluded from the notification requirements. Additionally, the notification designees have the discretion to grant written exceptions to the requirements.

C. Lobbying

Employees must be mindful that interactions with Government Officials (whether elected, appointed, or their staff) may constitute Lobbying Activities, as defined above. Federal and state laws contain registration and reporting requirements for those engaging in Lobbying Activities and/or for those retaining third parties to do so. Specifically, employees and third parties engaging in Lobbying Activities are required to:

- Register if applicable.
- Track important lobbying-related information (e.g., contacts, issues, time, and expenses).
 Notably, employees engaging in lobbying are required to track and enter their lobbying time into the Company's timekeeping system on a weekly basis using the established lobbying codes.
- Prepare and file reports required by law.
- Provide relevant information in a timely manner when requested by either Corporate Citizenship or the OEC to ensure compliance with individual and Company reporting obligations.

Employees who need assistance in meeting the requirements or have questions related to Lobbying Activities <u>must</u> proactively seek guidance from the SVP Corporate Citizenship (or their designee) or the OEC (ethics.compliance@pseg.com) to ensure appropriate compliance.

Employees should also be aware that PSEG publicly discloses both federal and state lobbying expenditures, as follows:

- PSEG submits to Congress quarterly lobbying reports, which describe the total spent on federal lobbying activities during the respective quarters. PSEG and its lobbyists also file with Congress semi-annual contribution reports.
- Under New Jersey state law, PSEG files <u>quarterly lobbying</u> and <u>annual expense</u> reports that include information about its lobbying activities and expenses.
- In Connecticut, PSEG submits quarterly reports detailing lobbying expenditures and

monthly reports when legislature is in session.

In New York, PSEG submits semi-annual lobbying reports.

Employees must also be aware that there are certain restrictions related to providing anything of value to government officials. **Gifts to Government Officials are governed by PSEG's Practice 615-10, Gifts, Meals and Entertainment**. Please refer to that Practice for the Company's requirements applicable to situations involving gifts or gratuities to government officials.

II. Political Contributions and Expenditures

PSEG complies with applicable federal, state, and local laws when reporting corporate political activities. All corporate political contributions and expenditures are made without regard to the personal political views of the Company's individual officers and directors.

To promote transparency and accountability, PSEG also voluntarily publishes this Practice and Corporate Citizenship provides an annual report on the Company's <u>public website</u> of corporate political contributions and expenditures. A copy of Corporate Citizenship's annual report is also provided to the Governance, Nominating and Sustainability Committee of the PSEG Board of Directors.

A. Federal Political Contributions and Independent Expenditures

PSEG does not make contributions to support federal candidates and political parties as such contributions are prohibited by law. However, PSEG, like other corporations maintains a political action committee ("PAC") that may contribute to candidates for federal elective office using voluntary contributions from the Company's eligible employee base.

PSEG maintains PEGPAC, a voluntary, non-partisan committee that allows eligible employees to make monetary contributions to federal candidates within the United States in accordance with applicable laws. Employees should understand the following as it relates to PEGPAC:

- PEGPAC is funded exclusively by eligible employees' voluntary contributions.
- Employees' contributions are never coerced and all solicitees are informed that neither their contribution nor their refusal to contribute will affect their employment status.
- Employees may not be directly or indirectly reimbursed for PAC contributions.
- PEGPAC is administered pursuant to Bylaws, which establish an Executive Committee as PEGPAC's governing body and designate officers, which include a Director and a Treasurer. The Director is the highest-level PSEG employee with day-to-day responsibility for PSEG's federal affairs function.
- PSEG files monthly reports with the Federal Election Commission ("FEC") disclosing PEGPAC contributions to candidates, parties, and PACs. PEGPAC's FEC reports may be found at: https://www.fec.gov/data/committee/C00383489/.

PSEG and other corporations are also legally permitted to sponsor independent expenditures, and to support independent expenditure-only committees (a.k.a. "super PACs") and other

politically active tax-exempt organizations.

Required Approvals:

- Any corporate federal independent expenditures and political contributions to entities
 other than candidates and political parties must be approved by the SVP Corporate
 Citizenship and the Executive Vice President and General Counsel (EVP and General
 Counsel").
- PEGPAC contributions to federal candidates, political parties and committees must be approved by the PEGPAC Executive Committee.
- Solicitation of voluntary contributions from employees to PEGPAC must be approved by the VP Federal Affairs & Sustainability.

B. State Political Contributions and Independent Expenditures

PSEG only sponsors independent political advertisements and makes political contributions to state and local candidates, political parties, and political committees when legally permissible.

PSEG does not make corporate political contributions to candidates for elective office in New Jersey because gas, electric, and power companies and their affiliates are prohibited from supporting New Jersey state or local candidates. PSEG reserves the right to make contributions to candidates and political parties in other states, where permitted. PSEG may also, from time to time, support national organizations of state officials, such as the Republican Governors Association or the Democratic Governors Association.

PSEG employees have established PSExec PAC, a New Jersey state political action committee, and certain PSEG employees maintain and operate PSExec PAC as volunteers. Employees should understand the following as it relates to PSExec PAC:

- PSExec PAC is not funded, administered, endorsed, or sponsored by PSEG. Because PSExec PAC is an independent effort and not a corporate project, PSEG employees must keep the following in mind if they choose to volunteer for the PSExec PAC:
 - PSExec PAC volunteers must serve in their personal, volunteer capacities.
 - PSEG will not compensate any individual to work on PSExec PAC projects.
 - PSEG personnel will not be favored or disadvantaged by the Company due to their volunteer activities on behalf of PSExec PAC; and
 - PSExec PAC must reimburse PSEG for the cost (if any) of using the Company's physical facilities and electronic equipment.
- Employees' contributions to PSExec PAC are never coerced and all solicitees are informed that neither their contribution nor their refusal to contribute will affect their employment status.
- PSExec PAC is governed pursuant to Bylaws. These Bylaws provide for an Executive Committee as the governing body comprised of a Chairman, Executive Director and

Treasurer. The Chairman of the Executive Committee is required to be a member of PSExec PAC who has knowledge of the legislative process, the issues affecting the utility industry and competitive markets in the state of New Jersey, and the candidates for state office in New Jersey.

• PSExec PAC files <u>quarterly and pre-/post-election reports</u> with the New Jersey Election Law Enforcement Commission.

PSEG has also established Power Long Island, which is a state-level political committee duly registered with the New York State Board of Elections. PSEG files <u>periodic reports</u> with the New York State Board of Elections that disclose Power Long Island PAC's contributions to candidates, political parties, and political committees.

Required Approvals:

- Corporate state and local level independent expenditures and political contributions to candidates, political parties and committees under \$5,000 must be approved by the Senior Director State Government Affairs; over \$5,000 must be approved by the SVP Corporate Citizenship after consultation with the EVP and General Counsel.
- PSExec PAC contributions to NJ state candidates, political parties and committees must be approved by the PSExec PAC Executive Committee.
- Solicitation of voluntary contributions from employees to PSExec PAC must be approved by the Senior Director State Government Affairs.
- Power Long Island PAC contributions to NY state candidates, political parties and committees must be approved by the Senior Director State Government Affairs.
- Solicitation of voluntary contributions from employees to Power Long Island PAC must be approved by the Senior Director State Government Affairs.

C. Trade Associations

PSEG and its operating companies are members of several trade associations focused on the important business and technical issues of our industry and the interests of our stakeholders. As a general matter, these associations enable us to share best practices on our operations, learn the views of others and benefit from their feedback, and voice our perspectives on proposed legislation and regulations in an educated and thoughtful manner. Some of these associations engage in lobbying activities.

Trade association policies generally reflect compromise among members, so at times the policy positions and lobbying activities of these associations may not align with PSEG's positions on a particular issue. In this case, we work to mitigate any risks associated with such misalignment.

Specifically, we seek to do this in three primary ways:

- Education of the association staff and key members.
- Ongoing engagement with the trade association and members to try to move consensus positions; and

• If needed, dissenting from association positions, including not providing formal company participation or endorsement.

Required Approvals: All corporate contributions to Trade Associations must be approved by the SVP Corporate Citizenship in coordination with Business Unit leaders.

D. Social Welfare Organizations

Contributions to 501(c)(4) organizations may be made in limited circumstances when the organization demonstrates adequate governance to reasonably protect the Company from adverse reputational and business risk.

The 501(c)(4) organization may demonstrate this by:

- Stating a clear and detailed explanation of the intended purpose for the contribution.
- Identifying the organization's decision makers and providing a level of visibility and transparency into the organization's governance structure (e.g., Does the organization have a Board of Directors? Who are the members?)
- Representing that PSEG's contribution funds will be segregated or earmarked for the specific purpose identified.
- Providing PSEG with an assurance letter that includes the following:
 - o A statement of the intended purpose of the donation.
 - A certification that the donation will not be used for the purpose of lobbying or influencing elections in New Jersey.
 - Representations that the donation has not been requested by any government official.
 - A stipulation that the 501(c)(4) was not established and is not directed, controlled, financed, or maintained by any government official.
 - A declaration that the 501(c)(4)'s activities are planned and conducted in its sole discretion.
 - A certification that the 501(c)(4) will comply with any applicable laws, including campaign finance, lobbying, and government ethics rules.

Contributions to 501(c)(4) organizations, in any amount, cannot be made without approval from the SVP Corporate Citizenship and the EVP and General Counsel. To obtain approval for 501(c)(4) contributions, the PSEG requestor must submit the above identified information to the OEC (ethics.compliance@pseg.com). If the 501(c)(4) recipient is unable or unwilling to provide any of the above information (e.g., certain items in the assurance letter), that must be noted in the submission with an explanation. The request will be shared with the SVP Corporate Citizenship and the EVP and General Counsel for final review and approval.

Within one business day of approving any 501(c)(4) contribution in excess of \$250,000, the SVP Corporate Citizenship must notify the Governance, Nominating and Sustainability Committee of the Board. This notification must include the rationale for the contribution and its intended purpose. For any contribution under \$250,000, the SVP Corporate Citizenship must notify the Governance, Nominating and Sustainability Committee at their next regularly scheduled meeting.

Required Approvals: All contributions to 501(c)(4) organizations must be approved by the SVP Corporate Citizenship and the EVP and General Counsel.

E. 501(c)(3) Organizations

501(c)(3) organizations may apply for funding through PSEG's Corporate Giving program or through PSEG's Foundation. During the application process, PSEG solicits various information from the organization, including whether any of the organization's board members are current Government Officials. If an organization identifies Government Officials on their Board, Corporate Citizenship (Director Corporate Social Responsibility) and the OEC (Senior Director – Compliance) will review the request to assess potential business and reputational risks. To the extent any risks are identified, the organization's approval will be escalated to the SVP Corporate Citizenship and the SVP Audit, Enterprise Risk & Compliance for further review and approval.

Required Approvals: Director Corporate Social Responsibility and Senior Director – Compliance. If escalation is warranted, SVP Corporate Citizenship and SVP Audit, Enterprise Risk & Compliance.

III. Hiring or Promoting Candidates

PSEG strives to fill job vacancies with the best-qualified and available candidates. At times, candidates may be Political Figures, related to Political Figures, or referred to the Company by a Political Figure. When this occurs, it requires a heightened review to ensure that the hiring process is adhered to and that candidates are selected for the appropriate reasons. As such, all external and internal job applicants will be required to answer questions regarding same on the job application for any position at PSEG.

Candidates who identify a political connection will be tracked throughout the hiring process by Talent Acquisition. If a Hiring Manager would like to extend an offer to a candidate who identified a political connection, the Review Panel will confer to assess the following before any offer is made: (1) Whether the candidate meets the required qualifications for the position; and (2) If the appropriate interview and selection process was followed. As part of this process, the Review Panel may request to meet with the Hiring Manager to discuss the candidate.

From time to time, Political Figures may contact the Company to refer a candidate. In order to ensure those referrals and requests are properly vetted, all employees are required to notify Human Resources at PSEG-PoliticalReferrals@pseg.com within one (1) week of receiving a request or recommendation to hire or promote a candidate from a Political Figure. Human Resources will coordinate these notifications with the OEC. To the extent a Hiring Manager wants to make an offer to a candidate identified through the PSEG-PoliticalReferral inbox, the Review Panel will review and follow the same process outlined above.

IV. Retention of Covered Third Parties

PSEG seeks business partners who share our commitment to integrity and conduct business in a manner consistent with our Standards of Conduct and Core Commitments. Accordingly, PSEG must exercise due diligence and ongoing monitoring of third parties with whom we do business, especially when those third parties engage in lobbying activities, political consulting or have a connection with a political figure.

A. Identifying Covered Third Parties

Prior to entering into a commercial or other agreement with any of the following Covered Third Parties, the line of business or corporate function proposing such an agreement must receive approval from the SVP Corporate Citizenship and the EVP and General Counsel:

- Any entity employing a Political Figure where the Political Figure will directly perform work for PSEG¹.
- Any entity with an owner, beneficial owner (i.e., someone who has 10% or greater financial interest in a vendor or supplier), executive officer or member of the Board of Directors who is: (i) a Political Figure; or (ii) the relative of a Political Figure.
- Entities who, at the time of the proposed engagement with the Company, work for a
 political campaign of a Political Figure or serve in a leadership position in a Political Action
 Committee.
- Entities who were referred to PSEG by a Political Figure.

Questions to identify Covered Third Parties will be incorporated into Procurement's Vendor Master Form, Non-Competitive Bid Form (i.e., Single/Sole Source Justification Form), and RFP questionnaire. It was also be incorporated in the Legal Department's RFP and retention process.

If the entity fits into any of the categories above, the line of business or corporate function will be required to submit information related to the Covered Third Party for review through the <u>Political Compliance Workflow</u>. The information will be reviewed by the OEC and then routed to the SVP Corporate Citizenship and EVP and General Counsel for final approval. **Approvals must be obtained prior to engaging the Covered Third Party**.

B. Review and Approval Process for Covered Third Parties

Through the Political Compliance Workflow, the line of business or corporate function will be asked to provide the following information related to the Covered Third Party:

- A description of the services to be performed.
- Publicly available information regarding the Covered Third Party.
- An analysis of any potential risks to PSEG's reputation that may potentially arise out of the retention.
- An analysis as to whether any of the Covered Third Party's clients would pose any perceived or actual conflict of interest with the business interests of PSEG.
- A draft agreement memorializing the retention. The draft agreement must include the following:
 - a. A description of activities or services to be performed.

¹ If the entity employs a Political Figure who will not be performing work for PSEG, the entity is not required to go through the review and approval process. However, if at any point, the Company wants to have said individual(s) perform work, the above process must be followed.

- b. Payment terms must include monthly invoice summarizing specific activities or services (if flat fee retention) or specific services performed (if hourly rate retention).
- c. A requirement that the Covered Third Party provide periodic reports describing the activities or services provided.
- d. A fixed agreement term that cannot exceed two years.
- e. A representation of compliance with all provisions in PSEG's Standards of Conduct.
- f. If the Covered Third Party is a Lobbying Firm, Political Consultant, or Public Affairs Firm, a requirement that the Covered Third Party will not subcontract any portion of their work to another party without advanced notice to and approval from PSEG.

Once submitted, the Covered Third Party will be reviewed by the OEC and approved by the SVP Corporate Citizenship and the EVP and General Counsel. A decision as to whether the Covered Third Party has been approved or denied will be communicated through the Workflow.

Note: Covered Third Parties must be reviewed through the Political Compliance Workflow every two years (as agreements with Covered Third Parties cannot exceed two years) or any time they are being retained for a new scope of work.

V. Training, Oversight and Governance

The Governance, Nominating and Sustainability Committee of the PSEG Board of Directors has oversight responsibility for PSEG's corporate political activities. The SVP Corporate Citizenship, the VP Federal Affairs & Sustainability, and the EVP and General Counsel shall provide periodic reports to the Committee regarding PSEG's political activities.

On an annual basis, the OEC shall provide the Governance, Nominating and Sustainability Committee with a copy of this Practice for review.

On an annual basis, the OEC, in coordination with Corporate Citizenship, shall offer political compliance training.

On a periodic basis, the OEC, with the assistance of an independent external consultant or outside counsel, shall assess PSEG's political compliance program.

Questions regarding this Practice should be directed to the OEC at ethics.compliance@pseg.com. The SVP Corporate Citizenship and the SVP Audit, Enterprise Risk & Compliance are responsible for the interpretation and applicability of this Practice.

Revision History

Date	Material?	Summary of Changes	
11/1/2017	No	Reformatted.	
10/15/2019	Yes	Updated to include ownership clarity and process improvements to reflect new organizational structure and new 501c4 approval.	
1/8/2021	Yes	Incorporated new requirements related to: interactions with government officials; approvals for federal contributions and	

		expenditures; contributions and approvals to 501(c)(4) organizations; hiring candidates and disclosing referrals from political figures; retaining covered third parties; training and governance; approvals for gifts.
5/18/2021	Yes	Revised Section I - Interactions with Government Officials, to incorporate the process for maintaining a list of employees who are pre-cleared to interacted with certain government officials.
1/23/2024	Yes	Revised requirements related to notifications for interactions with elected and appointed officials; modified definition of political figure; added more detail related to trade associations; revised PAC approval titles; incorporated process for reviewing certain 501(c)(3) organizations; revised requirements related to the Review Panel; revised training requirements, third party assessment requirements, and Board responsibilities; updated titles; other non-substantive revisions.

References

Practice 615-1, Standards of Conduct
Practice 615-9, Conflicts of Interest
Practice 615-10, Gifts, Meals & Entertainment

Practice 700-1, HR Practice Guide

Attachment A – Political Activity Approval Reference Chart

POLITICAL ACTIVITY	RESPONSIBLE FOR APPROVAL
Interactions with an Elected Government Official or a member of their staff	SVP Corporate Citizenship or their designee (exclusions as noted in section I.A.)
Interactions with an Appointed Government Official or a member of their staff	 VP Regulatory & Deputy General Counsel for BPU Deputy General Counsel & RTO Strategy Officer for FERC Managing Counsel Environmental for DEP or EPA EVP and General Counsel for any other appointed Government Official
Corporate Federal Independent Expenditures and Political Contributions to Entities Other than Candidates and Political Parties	SVP Corporate Citizenship and EVP and General Counsel
Corporate State and local level Independent Expenditures and Political Contributions to Candidates, Political Parties, and Committees	 \$5,000 or below: Sr. Director State Government Affairs Over \$5,000: SVP Corporate Citizenship after consultation with the EVP and General Counsel
Corporate Contributions to Trade Associations	SVP Corporate Citizenship in coordination with Business Unit leaders
Corporate Contributions to Social Welfare Organizations – 501(c)(4)s	SVP Corporate Citizenship and EVP and General Counsel
Contributions to 501(c)(3) organizations through PSEG's Corporate Giving Program of the PSEG Foundation	Director Corporate Social Responsibility and Sr. Director Compliance
PEGPAC Contributions to Federal Candidates, Political Parties, and Committees	PEGPAC Executive Committee
Solicitation of Voluntary Contributions from Employees to PEGPAC	VP Federal Affairs & Sustainability
PSExec PAC Contributions to New Jersey State Candidates, Political Parties, and Committees	PSExec PAC Executive Committee
PSExec PAC Solicitation of Voluntary Contributions from Employees	Sr. Director State Government Affairs
Power Long Island PAC Contributions to New York State Candidates, Political Parties, and Committees	Sr. Director State Government Affairs
Power Long Island PAC Solicitation of Voluntary Contributions from Employees	Sr. Director State Government Affairs
Gifts to Government Officials	 VP Federal Affairs & Sustainability & SVP Audit, Enterprise Risk & Compliance, for federal Sr. Director State Government Affairs & SVP Audit, Enterprise Risk & Compliance, for state and local