

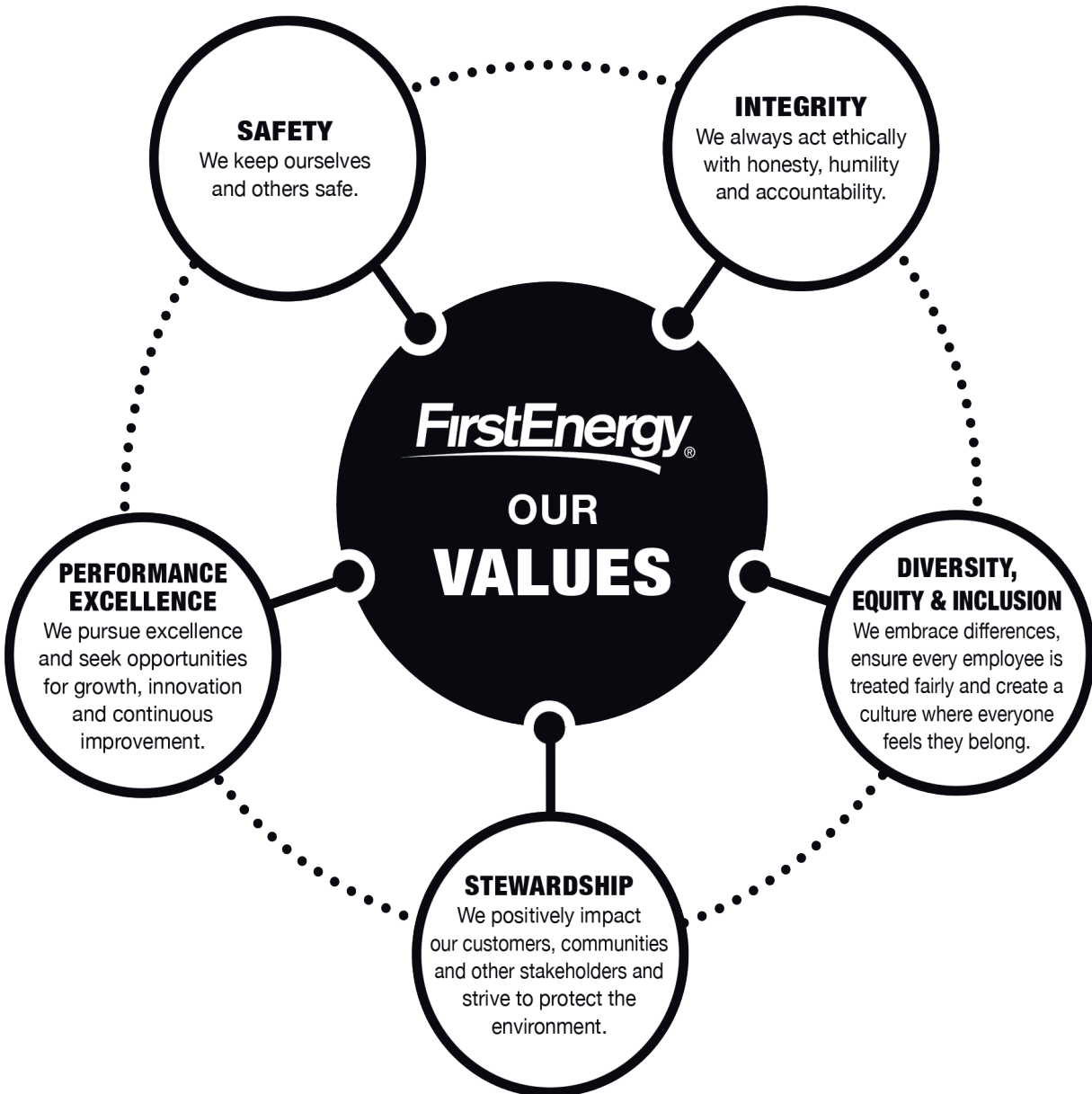


# **The Power of Collaboration**

**FirstEnergy's Supplier Code of Conduct**

## Our Values

FirstEnergy Corp.'s ("FirstEnergy" or "Company") values define what we stand for as a Company, how we do business, and how we aim to have a positive impact in the world. Our Supplier Code of Conduct ("Supplier Code") enlists our contractors, suppliers, consultants, and vendors ("business collaborators") in upholding these same values. We believe a shared commitment to integrity and ethical business practices is the foundation for strong, trust-based business relationships that creates shared value.



## **Contents**

### **The Power of Collaboration – What It Is and Why It Matters**

- Our Commitment to Ensuring a Bright and Sustainable Future for the Communities We Serve
- The Power of Collaboration
- Our Goal of Trusted Collaboration
- Obeying the Law
- Speaking Up
- No Retaliation – ever!

### **The Power of Collaboration to Achieve Successful Results**

- Keeping Everyone Safe
- Treating Everyone with Respect
- Protecting Personal Information

### **The Power of Collaboration to Excel in the Marketplace**

- Competing Fairly and Legally
- Preventing Bribery and Corruption
- Interacting Appropriately with Affiliates
- Maintaining Regulatory Compliance
- Following International Trade Laws

### **The Power of Collaboration to Deliver Value for Investors**

- Avoiding Conflicts of Interest
- Handling Gifts and Business Courtesies Responsibly
- Gift and Business Courtesies to Government Officials
- Creating, Maintaining, and Disclosing Accurate Records and Accounts
- Protecting Our Intellectual Property and Confidential Business Information
- Safeguarding Company Assets
- Preventing Insider Trading

### **The Power of Collaboration to Strengthen Our Communities**

- Making the Environment Better
- Engaging Appropriately in the Political Process
- Speaking Positively with One Voice
- Using Social Media Responsibly

### **Waivers and Exceptions**

### **Approval and Ownership**

# **The Power of Collaboration – What It Is and Why It Matters**

## **Our Commitment to Ensuring a Bright and Sustainable Future for the Communities We Serve**

FirstEnergy's mission is to be a forward-thinking electric utility, centered on integrity. We are powered by a diverse team of employees and business collaborators, committed to making customers' lives brighter, the environment better, and our communities stronger. We can achieve this only with your support.

### **The Power of Collaboration**

Our values serve as a reminder to act ethically and comply with applicable laws and regulations. The Supplier Code explains what we expect from our business collaborators to ensure compliance with our values. While the Supplier Code is not intended to cover all situations that you may encounter, it should help you use good judgment, act with integrity when serving or acting on behalf of FirstEnergy, and know when and how to raise questions or concerns.

The Supplier Code applies to all business collaborators and their subcontractors. Expectations detailed herein are required of business collaborators. If a business collaborator wants to depart from the requirements herein, that requirement must be subject to specific negotiation, and the business collaborator must implement practices that provide the same level of assurance as the Supplier Code. The Supplier Code does not replace the specific requirements in business collaborator contracts. Business collaborators must always comply with contractual requirements.

### **Our Goal of Trusted Collaboration**

Trust in relationships with business collaborators is vital to FirstEnergy's continued success. We value business collaborators who are committed to providing the highest standards of quality and safety.

### **Obeying the Law**

FirstEnergy expects all business collaborators to comply with all applicable legal requirements, laws, regulations, and disclosure obligations governing their relationship with us. If the standards or requirements in this Supplier Code or the contract are greater than applicable law, the business collaborator shall follow the higher standard.

## Speaking Up

Acting with integrity requires speaking up if you ever see or suspect a violation of the law, this Supplier Code, or any of FirstEnergy's policies, practices, and procedures. Promptly asking questions or raising concerns ensures that we limit potential adverse consequences or avoid them altogether. Coming forward quickly allows FirstEnergy to take appropriate action, if necessary.

We expect you to speak up promptly if you:

- See a situation in which the Supplier Code is not being followed;
- Are unsure about whether a situation violates the Supplier Code; or
- Have questions about the best approach for handling a situation while ensuring consistency with the Supplier Code.

Our business collaborators have multiple resources to speak up that include:

- Their FirstEnergy representative;
- The FirstEnergy Employee Concerns Helpline, toll free, at 1-800-683-3625<sup>1</sup>;
- The FirstEnergy online portal, [EthicsPoint](#); and
- FirstEnergy's Office of Ethics and Compliance ("OEC") at [ethicsoffice@firstenergycorp.com](mailto:ethicsoffice@firstenergycorp.com).

**It doesn't matter how you report. What matters is that you speak up.**

## No Retaliation – ever!

We are committed to creating an environment where our business collaborators feel empowered to raise questions or concerns without fear of retaliation. FirstEnergy prohibits retaliation against anyone who:

- Raises a concern;
- Reports a possible violation of the law, this Supplier Code, FirstEnergy's policies, or our values; or
- Cooperates with an investigation.

If you see, suspect, or are subject to retaliation, you must speak up.

---

<sup>1</sup> We understand that you may wish to report anonymously, and you can do so by contacting FirstEnergy's Employee Concerns Helpline or go online to EthicsPoint. All calls to FirstEnergy's Employee Concerns Helpline are answered by an independent third-party vendor.

# The Power of Collaboration to Achieve Successful Results

## Keeping Everyone Safe

**Nothing matters more to us than keeping people safe when they work for or on behalf of FirstEnergy.**

We expect our business collaborators to support our commitment to safety by providing a healthy and safe workplace and applying safe work practices to all of their activities. This helps maintain the confidence and trust of the communities in which we operate.

*Keeping everyone safe* means we expect our business collaborators to:

- Comply with all regulatory and contract-specific safety requirements and specifications, including site-specific rules when performing their work;
- Follow all safety guidelines, policies, and practices to protect workers and customers;
- Stay alert for any environmental, health, or safety issues that could pose risks beyond the immediate work area or facility; and
- Prohibit drugs, alcohol, weapons, harassment, or violence in the workplace.

## Treating Everyone with Respect

**We believe that everyone deserves to be treated with courtesy and respect, so they feel included, valued, and empowered to give their best effort.**

We expect you to stand with us in fostering a workplace environment that is based upon respect and integrity and that promotes diversity, equity, inclusion, teamwork, and excellent performance. A positive and supportive work environment allows everyone to thrive together. FirstEnergy is committed to ethical and fair dealings. It believes that diverse suppliers are essential to economic health and strives to conduct its business with competitive, diverse suppliers.

*Treating everyone with respect* means we expect our business collaborators to:

- Foster a diverse, equitable, and inclusive work environment that is free of harassment and discrimination<sup>2</sup>;
- Make decisions that are based on merit and qualifications;
- Respect employees' rights to organize and bargain collectively;
- Meet all legal requirements for compensation, working conditions, work hours, and benefits;
- Seek out and utilize diverse suppliers when performing work or procuring products on FirstEnergy's behalf;

---

<sup>2</sup> This includes behavior, comments, jokes, slurs, email messages, pictures, photographs, or other conduct that contributes to an intimidating or offensive environment such as bullying, initiation activities, or workplace hazing regardless of the other person's willingness to participate.

- Comply with all applicable labor and human rights laws, which include those related to equal opportunity, child<sup>3</sup> labor, forced labor, working hours, wages and benefits, freedom of association, immigration, and a harassment-free workplace;
- Not engage in the use, or support the use, of forced labor, bonded labor, indentured labor, involuntary prison labor, slavery, or the trafficking of persons;
- Work in a fair, impartial, honest, and ethical manner to provide equal opportunities for all seeking to sell their products and services to us, including small businesses<sup>4</sup>
- Ensure that no supplier receives an unfair competitive advantage over another;
- Base purchases on “best evaluated,” which includes price, quality, quantity, and delivery specifications, when performing work or procuring products; and
- Prohibit discrimination and harassment based on race, color, age, gender or gender identity, sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), sexual orientation, gender expression, transgender status, ethnicity, genetic information, physical or mental disability, religion, religious creed, political affiliation, medical condition, military and veteran status, protected veteran status, ancestry, citizenship status, utilization of leaves of absence protected under state or federal law, union membership, marital status, or any other non-job-related factors in hiring and employment practices, including advancement, disciplinary decisions, benefits, training, or general workplace conduct.

## Protecting Personal Information

**We protect the privacy of personal information by not disclosing it to anyone without a legitimate business need and legal right to receive it.**

In the course of work, you may have access to personally identifiable information regarding FirstEnergy, its employees, customers, and other business collaborators. This data allows us to manage our relationships with customers and business collaborators; administer employee benefits; and comply with legal requirements, among other things.

*Protecting personal information* means we expect our business collaborators to:

- Follow all FirstEnergy policies, practices, and procedures covering personal information and privacy;
- Collect, use, and process personal information only for legitimate business purposes;
- Share personal information only with those with a business need and legal right to receive it;
- Comply with all applicable personal information and data privacy laws; and
- Delete or destroy personal information once the business need for the data is complete.

---

<sup>3</sup> “Child” is defined as any person under the minimum legal age of employment where the work is performed.

<sup>4</sup> Small businesses including minority/small, disadvantaged businesses, women-owned, Historically Underutilized Business Zones (“HUBZone”), veteran, and service-disabled veteran owned businesses.

# The Power of Collaboration to Excel in the Marketplace

## Competing Fairly and Legally

**We want to work with business collaborators who operate competitively while promoting free and open markets.**

We compete fairly and on the merits of what we offer – whether it be price, superior service, value, or something else. We do not restrain trade, competition, prices, terms, or markets. We market, advertise, and collect data fairly and honestly.

*Competing fairly and legally* means we expect our business collaborators to:

- Comply with applicable antitrust and competition laws;
- Never propose or enter into any agreement or understanding with a competitor to:
  - Fix or in any way manipulate prices;
  - Rig bids;
  - Divide or allocate markets, industries, territories, or customers;
  - Collude with other FirstEnergy business collaborators;
  - Deal or not deal with a particular customer or supplier; and
  - Deal with a customer or supplier only on certain terms, limit output, or capacity utilization; and
- Never propose or enter agreements or understandings that restrict the price at which a party may resell a product or service.

## Preventing Bribery and Corruption

**We want to engage with business collaborators we trust to operate ethically and who stand with us in fighting bribery and corruption.**

We are committed to operating with and selecting business collaborators honestly and fairly. This builds trust and tells the world we will only do business the right way.

*Preventing bribery and corruption* means we expect our business collaborators to:

- Never offer or accept bribes, kickbacks, or anything of value that could improperly influence – or appear to influence – a business decision;
- Follow anti-corruption laws;
- Take special care not to promise or provide anything of value to public officials or anyone else to gain a business advantage; and
- Abide by all U.S. government trade restrictions with certain countries, companies, and people to prevent nuclear proliferation, to battle terrorism and the global narcotics trade, and to impose political sanctions. Further, business collaborators' suppliers must share in the responsibility of complying with all laws and regulations applicable to business collaborators' operations, including, without limitation, the Foreign Corrupt Practices Act.



## **Interacting Appropriately with Affiliates**

**We follow all rules regarding how our various businesses interact with each other.**

Sometimes one FirstEnergy business will perform work to support another FirstEnergy business, which could constitute an “affiliate transaction.” It is important that you recognize and properly handle such transactions because the Federal Energy Regulatory Commission (“FERC”) and the state utility regulatory agencies have established special rules that we must follow.

*Interacting with affiliates responsibly* means we expect our business collaborators to:

- Be familiar and comply with the standards and processes for managing all transactions between FirstEnergy and its affiliates;
- Not require business collaborators’ suppliers/subcontractors to provide preferential treatment to FirstEnergy affiliates over non-affiliated competitors when delivering services or providing products or supplies;
- Treat all FirstEnergy businesses as independent entities;
- Safeguard all information related to each entity and never share it unless authorized for appropriate business reasons;
- Properly allocate and record all time associated for support service with an affiliate transaction along with proper identification of the FirstEnergy entity; and
- Appropriately charge the costs for sales of non-power goods and services between FirstEnergy and other FirstEnergy companies.

## **Maintaining Regulatory Compliance**

**We follow all rules, regulations, and requirements of the federal, state, and local agencies that regulate our Company.**

Our industry and Company are regulated heavily by various federal, state, and local government agencies. FirstEnergy devotes significant resources to complying with the rules, regulations, and requirements of these agencies.

*Maintaining regulatory compliance* means we expect our business collaborators to understand and comply with all reliability standards and related requirements, and with all other applicable requirements.

## Following International Trade Laws

**We are committed to following all applicable laws and regulations that govern international trade.**

When engaging in international business and procuring products from the global marketplace, you have a duty to respect applicable customs, trade and sanctions laws, and regulations.

*Following international trade laws* means we expect our business collaborators to:

- Comply with all applicable laws and regulations governing:
  - The export, re-export, and transfer of goods, technical data, software, and services;
  - Import of goods and obligations with respect to sourcing materials;
  - Economic sanctions and embargoes; and
  - U.S. anti-boycott requirements; and
- Not manufacture or subcontract for the manufacture of any products for which conflict minerals are necessary to the functionality or production of that product<sup>5</sup>.

---

<sup>5</sup> “Conflict Minerals” means minerals such as cassiterite, columbite-tantalite, gold, and wolframite, derivatives of these minerals (including tin, tantalum, and tungsten), and other minerals that the U.S. Secretary of State from time to time may designate that are sourced from a mine located in the Democratic Republic of Congo or an adjoining country.

# The Power of Collaboration to Deliver Value for Investors

## Avoiding Conflicts of Interest

**We make smart choices in the best interests of FirstEnergy, unaffected by personal interests or relationships.**

We want to work with business collaborators who do not allow personal interests or relationships to compromise their decision making. Using good business judgment builds mutual trust and helps us maintain excellence. It also enables us to collaborate and innovate without distraction. Even the appearance of a conflict of interest can be a problem because it can lead others to think we are not acting properly. Conflicts of interest can be avoided or addressed if promptly disclosed and properly managed.

*Avoiding conflicts of interest* means we expect our business collaborators to:

- Never make business decisions on behalf of FirstEnergy based on personal relationships, bias, or the potential for personal gain; and
- Recognize and disclose actual or potential conflicts to their company's management and FirstEnergy representative, and/or the FirstEnergy OEC.

## Handling Gifts and Business Courtesies Responsibly

**We build business relationships based on trust and mutual value and never through the giving or receipt of inappropriate gifts or hospitality.**

Giving and receiving small gifts and sharing reasonable meals and appropriate entertainment are ways to connect with business collaborators and deepen business relationships. However, to maintain integrity in our business relationships, you may never provide or accept gifts, meals, and entertainment ("Gifts") or any business-related items of value such as tickets to entertainment events, meals, receptions, or associated travel ("Business Courtesies") for free or with discounts, which might be intended to influence a business decision or might be perceived that way by others.

Even more rigorous standards apply to employees in any of FirstEnergy's Supply Chain function positions, who may not accept any Gifts or Business Courtesies from current or prospective business collaborators.

*Handling Gifts responsibly* means we expect our business collaborators to:

- Ensure all Gifts are acceptable for valid business purposes and occur infrequently;
- Never provide or accept any monetary Gifts, such as cash, gift cards, or personal discounts;
- Never give a Gift that could be considered offensive or in poor taste or that could damage FirstEnergy's image and/or reputation;
- Never provide a Gift or Business Courtesy to FirstEnergy Supply Chain employees – see above; and
- Never offer Gifts or Business Courtesies when payment, contracting, or other related decisions are pending.

Any exceptions to handling Gifts must be requested in writing and approved in advance by your highest-level FirstEnergy business contact in consultation with FirstEnergy's OEC. For more information, review FirstEnergy's Practice on Gifts and Business Courtesies.

## **Gift and Business Courtesies to Government Officials**

**We maintain trusted relationships with government agencies by ensuring that our interactions with government officials are always beyond reproach.**

Engaging with government officials is an important aspect of running FirstEnergy's business, and it is important for business collaborators to understand the part they play in this regard. You must comply with all regulatory reporting requirements, as well as the laws, regulations, rules, and codes of conduct that apply to your interactions with government agencies and officials. Government officials include anyone working for a federal, state, or local government.

*Interacting with government officials responsibly* means we expect our business collaborators to:

- Never provide a Gift on behalf of FirstEnergy to any government official or any employee or representative of a governmental entity without obtaining prior written approval from FirstEnergy's OEC.

## **Creating, Maintaining, and Disclosing Accurate Records and Accounts**

**We keep accurate records and accounts, which helps us operate effectively and provide timely and truthful information to those who need to rely on it.**

Accurate records are critical to FirstEnergy in meeting its legal, financial, regulatory, and management obligations. They allow us to make sound business decisions and protect our reputation for integrity as our customers, shareholders, financial analysts, regulators, and others count on us to be accurate and complete in our recordkeeping. Misstating financial results or incorrectly describing transactions or agreements may be forms of fraud and can lead to serious consequences, including criminal penalties.

*Creating, maintaining, and disclosing accurate records and accounts* means we expect our business collaborators to:

- Keep accurate and complete business records that show all transactions with FirstEnergy in reasonable detail;
- Prohibit all attempts to create false or misleading records or to deviate from established accounting and business management procedures;
- Record and report all financial and other information related to your work for FirstEnergy accurately, honestly, objectively, and in a timely manner;
- Never hide, alter, falsify, or disguise the true nature of any transaction for anything involving FirstEnergy or otherwise take or fail to take any step that could impair FirstEnergy from complying with our own reporting and recordkeeping requirements; and
- Prevent the destruction of documents related to an investigation, claim, or lawsuit.

## **Protecting Our Intellectual Property and Confidential Business Information**

**We safeguard our intellectual property and confidential information from misuse, misappropriation, destruction, and loss.**

While working with FirstEnergy, you may acquire our confidential or proprietary information. You must take care to protect such information against unauthorized disclosure and misuse. Confidential and proprietary information includes knowledge about operations, processes, transactions, strategies, plans, finances, facilities, customers, employees, suppliers, and other business collaborators.

*Protecting our intellectual property and confidential information* means we expect our business collaborators to:

- Ensure confidential, proprietary, and personal information is used for the purposes for which it was collected and is kept secure at all times;
- Never disclose, either intentionally or inadvertently, confidential information without proper written authorization;
- Dispose safely of any and all FirstEnergy intellectual property and confidential information if you are no longer serving FirstEnergy or the information is no longer of use for the intended business purpose;
- Safeguard FirstEnergy's intellectual property which includes assets such as patents, copyrights, trademarks, service marks, logos, and trade secrets; and
- Notify your FirstEnergy representative immediately if:
  - Any confidential information has been released without authorization;
  - You suspect that the confidential information was released as a result of a cyber security incident; or
  - You have doubts about whether FirstEnergy related information or knowledge is confidential or believe that confidential information has been mismanaged.

## Safeguarding Company Assets

**We protect FirstEnergy’s reputation and other assets because they are the building blocks for our future.**

Making the best use of what we have today sets us up for success tomorrow. Our assets<sup>6</sup> – property, money, information, ideas, and reputation – sustain our operations and allow us to invest in innovation and continuous improvement.

*Safeguarding Company assets* means we expect our business collaborators to:

- Be good stewards of FirstEnergy’s assets – using them in the best interest of FirstEnergy for legitimate business purposes and not abuse your privilege to use them, such as by sharing the information or disposing of it improperly when no longer relevant;
- Never use FirstEnergy assets for personal purposes or for other entities doing business with the business collaborator unless approved in writing by FirstEnergy; and
- Immediately report any concerns about the use, abuse, or endangerment of FirstEnergy’s assets to FirstEnergy’s OEC.

## Preventing Insider Trading

**We never use or share material, non-public information about FirstEnergy or another company for the purpose of trading securities.**

You may have access to material, non-public information (“Inside Information”) about FirstEnergy or other companies that could be potentially useful to investors. Inside Information consists of details that an investor would consider important in making an investment decision. Using this information for your own benefit, or sharing it for the benefit of others, is called insider trading. It is illegal because it provides an unfair advantage and distorts financial markets. The insider trading laws are enforced aggressively, which can mean heavy fines and imprisonment for those convicted.

*Preventing insider trading* means we expect our business collaborators to never:

- Buy or sell the securities (stocks, bonds, or derivatives) of FirstEnergy or any other company engaged in business with FirstEnergy directly, through family members, or other persons or entities while aware of Inside Information;
- Recommend or suggest that anyone buy or sell the securities of FirstEnergy or any companies with whom it is engaged in business, while in the possession of Inside Information about FirstEnergy or those other companies;
- Share Inside Information with another person who may use that Inside Information to buy or sell FirstEnergy’s securities; and
- Discuss confidential FirstEnergy business with third parties.

---

<sup>6</sup> FirstEnergy assets include Company facilities, equipment, technology, field supplies, office supplies, and information related to our customers, processes, operations, and finances.

# The Power of Collaboration to Strengthen Our Communities

## Making the Environment Better

**Preserving and protecting the environment is a key part of our mission and business strategy.**

We conduct sustainable operations designed to comply with all applicable federal, state, and local laws, and we continually work to reduce our impact on the environment. We meet best practice standards in asset construction and management, emissions control, permitted discharges, waste management, and the health, safety, and general welfare of our employees and communities. FirstEnergy expects you to share this same commitment.

*Making the environment better* means we expect our business collaborators to:

- Abide by all applicable environmental laws, regulations, and rules, as well as contract-specific policies and specifications;
- Conduct operations in a manner that safeguards the environment, minimizes waste, emissions, energy consumptions, and the use of materials of concern;
- Promptly notify FirstEnergy in situations where an environmental incident associated with FirstEnergy business operations has occurred; and
- Integrate principles of sustainable development into all areas of your business.

## Engaging Appropriately in the Political Process

**We engage thoughtfully in the political process, responsibly advocating for our interests while bringing positive change to our communities.**

We work closely with federal, state, and local governments because FirstEnergy has a legitimate stake in political priorities and outcomes. In the ordinary course of business, you may interact with government agencies and employees. However, such interactions are often regulated by campaign finance, lobby disclosure, and government ethics laws.

*Participating responsibly in the political process* means we expect our business collaborators to participate responsibly in the political process and understand and respect the legal limitations on corporations. You are not allowed to be involved in any political activity as a representative of FirstEnergy or use the FirstEnergy name to participate in political activities without written consent from FirstEnergy.

## Speaking Positively with One Voice

**We speak with one voice when communicating publicly to all audiences, including investors, financial analysts, and the media.**

Our customers, business collaborators, investors, industry analysts, journalists, public interest groups, and others deserve accurate, clear, complete, and consistent communications from FirstEnergy. Since these interactions require careful consideration and an expert understanding of legal, financial, and media issues, only designated FirstEnergy spokespersons are allowed to speak on the Company's behalf.

*Speaking with one voice* means our business collaborators are not permitted to speak on FirstEnergy's behalf or to respond to inquiries from regulators, news media, securities analysts, or investors. You must contact your FirstEnergy representatives regarding these inquiries.

## Using Social Media Responsibly

**We embrace the responsible use of social media for business purposes and make sure our individual online activities do not harm FirstEnergy's reputation.**

Social media has transformed how we connect, share information, and influence opinion. In business, it affects our ability to have honest, direct, and meaningful exchanges with customers and other stakeholders. You must use these tools responsibly because information can spread quickly and unpredictably online, making it difficult to control or remove. By pausing to consider the nature and potential impact of what you are about to post, you protect yourself, your colleagues, and FirstEnergy from harm.

*Using social media responsibly* means we expect our business collaborators to:

- Be thoughtful when sharing content and associating with FirstEnergy assignments online;
- Ensure that the use of social media by your workforce or representing agents does not negatively affect FirstEnergy's reputation;
- Do not post anything related to FirstEnergy business, unless specifically authorized in writing to do so by FirstEnergy; and
- Act with integrity and not publish, post, or disclose proprietary or other confidential information related to FirstEnergy.

## Waivers and Exceptions

A waiver or exception to any provision of the Supplier Code will be made at FirstEnergy's sole discretion. Requests for waivers or exceptions must be submitted to FirstEnergy's VP, Supply Chain and FirstEnergy's Chief Ethics and Compliance Officer, or their designee, for review and resolution.



## **Approval and Ownership**

This practice has been approved by the Executive Council and is in effect as of February 15, 2022. All employees, business collaborators, contractors and others doing work on behalf of FirstEnergy are expected to comply with this code's contents. Please reach out to the owner of this document (VP, Supply Chain) or the OEC at [ethicsoffice@firstenergycorp.com](mailto:ethicsoffice@firstenergycorp.com) with any questions relating to this practice.