The Business Council for Sustainable Energy

THE BUSINESS COUNCIL FOR SUSTAINABLE ENERGY ANTITRUST COMPLIANCE GUIDELINES

The Business Council for Sustainable Energy and its member companies are committed to full compliance with all laws and regulations, and to maintaining the highest ethical standards. That includes strict compliance with federal and state antitrust laws.

Compliance with the antitrust laws is a serious business. Antitrust violations may result in heavy fines for corporations, and in fines and even imprisonment for individuals. BCSE members bear the ultimate responsibility for assuring that your actions comply with the antitrust laws.

In all BCSE operations and activities, avoid any discussions or conduct that might violate the antitrust laws or even raise an appearance of impropriety.

- **Do** consult with your counsel about any documents that touch on sensitive antitrust subjects such as pricing, market allocations, refusals to deal with any company, and the like.

- **Do** consult with your counsel on any non-routine matters such as gathering competitive corporate data.

- **Do** use an agenda and take accurate minutes of BCSE meetings that you chair. Have counsel review the agenda and minutes before they are circulated.

- **Do not** have discussions with other member companies about:

    - your company's prices or prices charged by your competitors; costs, discounts, terms of sale, profit margins or anything else that might affect those prices
    - allocating markets, customers, territories or products with your competitors or limiting production; and whether or not to deal with any other company
    - any competitively sensitive information concerning your own company or a competitor's.

- **Do not** stay at a meeting, or any other gathering, if those kinds of discussions are taking place.

- **Do not** discuss any other sensitive antitrust subjects (such as price discrimination, reciprocal dealing, or exclusive dealing agreements) without first consulting counsel.

- **Do not** create any documents or other records that might be misinterpreted to suggest that BCSE condones or is involved in anticompetitive behavior.

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