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ATTORNEYS AT LAW

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OCT 05 2020  
CONSUMER PROTECTION

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426 W. Lancaster Avenue, Suite 200  
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September 30, 2020

**VIA FIRST-CLASS MAIL**

Consumer Protection Bureau  
Office of the New Hampshire Attorney General  
33 Capitol Street  
Concord, NH 03301

**Re: Notice of Technology Management Resources, Inc. Data Event**

Dear Sir or Madam:

We represent Bonita Springs Utilities, Inc. ("BSU") located at 11900 East Terry Street, Bonita Springs, FL 34135 and are writing to notify your office of the Technology Management Resources, Inc. ("TMR") data security incident because it may have affected the security of some personal information relating to eighteen (18) New Hampshire residents.

The investigation into this matter is ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, BSU does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, or personal jurisdiction.

**Nature of the Data Event**

BSU's third-party bill payment services vendor, Iberia Bank, has an agreement with TMR to provide Lockbox Payment Processing services for Iberia Bank on behalf of BSU. On or about August 21, 2020, Iberia Bank notified BSU of the TMR data security incident. The notice from Iberia Bank indicated that an unauthorized actor had gained access to TMR's systems and, consequently, may have been able to access images of checks that were sent to Iberia Bank's Lockbox.

Upon receipt of the notice, BSU immediately commenced an investigation to determine the nature and scope of the underlying event, including requesting additional information from Iberia Bank and TMR to confirm any impact to BSU customer information. Iberia Bank reported most BSU customer information accessed by the unauthorized actor on TMR systems was from February to May 2020 but Iberia Bank was unable to provide a specific date range. On September 18, 2020 Iberia Bank provided a list of individuals associated with BSU that TMR believed may have been affected by the incident. Using this updated information provided by Iberia Bank, BSU confirmed personal information as defined by N.H. Rev. Stat.

Ann. § 359-C:19 could have been subject to unauthorized access or acquisition including name, financial account number, and routing number. To date, neither TMR nor Iberia Bank have reported any actual or attempted misuse of this information as a result of this incident.

#### **Notice to New Hampshire Residents**

On September 30, 2020, BSU began providing written notice of the TMR incident to eighteen (18) New Hampshire residents. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

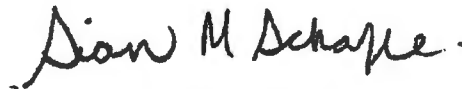
#### **Other Steps Taken and To Be Taken**

BSU takes the confidentiality, privacy, and security of personal information very seriously. After receiving notice from Iberia Bank, BSU took steps to understand the impact the TMR data security incident had on BSU data. Upon confirmation of this information, BSU worked to identify those individuals whose information was contained in the check images. As part of its ongoing commitment to the security of information, BSU is reviewing its existing policies and procedures regarding its third-party vendors and is working with Iberia Bank to evaluate additional measures and safeguards to protect against this type of incident in the future. BSU will also notify other government regulators, as required.

#### **Contact Information**

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4799.

Very truly yours,



Sian M. Schafle of  
MULLEN COUGHLIN LLC

# Exhibit A



[First Name] [Last Name]

[Address]

[BSU, State, Zip]

[Date]

Dear [Name],

Bonita Springs Utilities, Inc. ("BSU") is writing to notify you that you may have been affected by a data security incident. Iberia Bank is BSU's bill payment services vendor. Iberia Bank uses the services of Technology Management Resources, Inc. ("TMR") to provide Lockbox Payment Processing. While there is currently no evidence that your information has been misused as a result of this incident, we are providing you with information we have and measures we have taken.

**What Happened?** On August 21, 2020, BSU received notice from Iberia Bank of the TMR data security incident. The notice indicated that an unauthorized actor had gained access to TMR's systems and may have been able to access images of checks that were sent to Iberia Bank's Lockbox. Upon receipt of the notice, BSU immediately commenced an investigation to determine the nature and scope of the event. On September 18, 2020 Iberia Bank provided BSU a list of customers that TMR believed may have had images of their checks viewed, most of which were viewed on TMR systems from February to May, 2020.

**What Information Was Involved?** TMR's investigation confirmed the information viewed may include name, financial account number, and routing number. To date, neither TMR nor Iberia Bank have reported any actual or attempted misuse of this information as a result of this incident.

**What We Are Doing.** We take the confidentiality, privacy, and security of personal information very seriously. After receiving notice from Iberia Bank, we took steps to understand the impact the TMR data security incident had on BSU data. Upon confirmation of this information, BSU worked to identify those individuals whose information was contained in the check images. As part of our ongoing commitment to the security of information in our care, we are reviewing our policies and procedures regarding third-party vendors, data transfers, and are working with Iberia Bank to evaluate additional measures and safeguards to protect against this type of incident in the future. We will also be notifying government regulators, as required.

**For More Information.** We understand you may have questions about this incident that are not addressed in this letter. If you have any questions, please call BSU at (239) 992-0711, Monday through Friday from 7:30 a.m. to 5:00 p.m. Eastern Time. You may also contact BSU by email at [customerservice@bsu.us](mailto:customerservice@bsu.us) or by mail at 11900 East Terry Street, Bonita Springs, FL 34135.

Sincerely,

**Customer Service Manager**