

WHITE EARTH TRIBAL UTILITY COMMISSION CODE OF ETHICS

CANON I

A Commissioner Should Uphold the Integrity of the Commission:

An honorable Commissioner of high integrity is indispensable to justice in discharging the responsibilities of the Commission. A Commissioner should participate in establishing, maintaining and enforcing, and should observe high standards of conduct so that the integrity and honor of the Commission may be preserved. The provisions of this Code of Ethics should be construed and applied to further that objective.

CANON II

A Commissioner Should Avoid Impropriety and the Appearance of Impropriety in All Activities:

A Commissioner should respect and comply with the law and should conduct himself or herself at all times in a manner that promotes public confidence in the integrity and impartiality of the Commission. A Commissioner should not own any stock or securities or other financial interest in any company regulated by the Commission. A Commissioner should not allow family, social or other relationships to influence his or her official conduct or judgment. A Commissioner should not lend the prestige of office to advance the private interests of others nor should he or she convey or permit others to convey the impression that they are in a special position to influence him or her.

CANON III

A Commissioner Should Perform the Duties of Office Impartially and Diligently:

The official duties of a Commissioner take precedence over all other activities. A Commissioner's duties include all the duties of office prescribed by law. In the performance of these duties, the following standards apply:

- (1) A Commissioner should be faithful to and constantly strive to improve his or her competence in regulatory principles. He or she should be unswayed by partisan interests, public clamor, or fear of criticism.
- (2) A Commissioner should maintain order and decorum in the proceedings before him or her.
- (3) A Commissioner should be patient, dignified and courteous to litigants, witnesses, lawyers, and others with whom the Commission deals in an official capacity, and should require similar conduct of lawyers, staff, and others subject to the Commissioner's direction and control.
- (4) A Commissioner should afford to every person who is legally interested in a proceeding, or his or her lawyer, full right to be heard according to law.
- (5) A Commissioner should diligently discharge his or her administrative responsibilities, maintain professional confidence in Commission administration, and facilitate the performance of the administrative responsibilities of other Commissioners and staff officials.

- (6) A Commissioner should disqualify himself or herself in a proceeding in which his or her impartiality might reasonably be questioned, including, but not limited to, instances where:
 - (a) The Commissioner has a personal bias or prejudice concerning a party;
 - (b) The Commissioner has served as a lawyer or representative in the matter in controversy, or a lawyer with whom he or she previously practiced law served during such association as a lawyer or representative concerning the matter;
 - (c) The Commissioner knows that he or she individually or as a fiduciary, or his or her spouse or minor child residing in his or her household, has a financial interest in the subject matter in controversy, or is a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding.
- (7) For purposes of this section:
 - (a) "Fiduciary" includes such relationships as executor, administrator, trustee and guardian;
 - (b) "Financial interest" means ownership of a legal or equitable interest, however small, or a relationship as director, advisor, or other active participant in the affairs of a party, except that:
 - (i) Ownership in a mutual or common investment fund that holds securities is not a "financial interest" in such securities unless the Commissioner participates in the management of the fund;
 - (ii) An office in an educational, religious, charitable, fraternal, or civic organization is not a "financial interest" in securities held by that organization;
 - (iii) The proprietary interest of a policy holder in a mutual insurance company, of a depositor in a mutual savings association, or a similar proprietary interest, is a "financial interest" in the organization only if the outcome of the proceeding could substantially affect the value of the interest.

CANON IV

A Commissioner May Engage in Activities to Improve Regulation and Administration:

A Commissioner, subject to the proper performance of his or her duties, may engage in the following activities, and in doing so, he or she does not cast doubt on his or her capacity to decide impartially any issue that may come before the Commission:

- (1) The Commissioner may speak, write, lecture, teach, and participate in other activities concerning regulation and the administration of Commission business.
- (2) The Commissioner may appear at a public hearing before an executive or legislative body or official.

CANON V

A Commissioner Should Regulate His or Her Outside Activities to Minimize the Risk of Conflict:

By way of illustration, but not to be construed as excluding matters not covered:

- (1) A Commissioner may write, lecture, teach, and speak on non-utility subjects and engage in arts, sports, and other social and recreational activities;
- (2) A Commissioner may participate in civic and charitable activities that do not reflect adversely upon his or her impartiality or interfere with the performance of his or her official duties.

A Commissioner should refrain from financial and business dealing that tend to reflect adversely on his or her impartiality, interfere with the proper performance of his or her official duties, exploit his or her position, or involve him or her in frequent transactions with persons likely to come before the Commission.

Neither a Commissioner nor a member of his or her family residing in his or her household should accept a gift, bequest, favor, or loan from anyone except as follows:

- (1) Instances in which the interests of the public are served by participation of the Commissioner such as widely attended luncheon meetings, dinner meetings, or similar gatherings sponsored by industrial, technical, and professional associations for the discussion of matters of mutual interest of the Commission and in the performance of his or her duties;
- (2) A loan from a lending institution in its regular course of business on the same terms generally available to persons who are not Commissioners;
- (3) A Commissioner or a member of his or her family residing in his or her household may accept any other gift, bequest, favor or loan if the donor is not a party or other person whose special interest may come or are likely to ever come before the Commissioner.