



Control Number: 29298



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# Topaz Power Group LLC

Barbara Clemenhagen  
Vice President, External Relations  
2705 Bee Caves Road Suite 340  
Austin, Texas 78746

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bcclemenhagen@topazpowergroup.com

August 9, 2006

Filing Clerk  
Office of Central Records  
Public Utility Commission of Texas  
1701 N. Congress Avenue, Suite G-113  
P.O. Box 13326  
Austin, Texas 78711-3326

Re: **Project No. 29298**  
**Coletto Creek WLE, LP – 2<sup>nd</sup> Quarter, 2006 Report**  
**Report Key Number: S0600030R200620006**

**Confidential Treatment Requested**

Dear Sir/Madam:

Pursuant to Substantive Rule 25.93 and instructions from Commission Staff, Coletto Creek WLE, LP (Coletto) encloses for filing in the above-referenced proceeding two (2) compact disks containing its 2<sup>nd</sup> Quarter 2006 Quarterly Wholesale Electric Transaction Report (Report). Coletto was sold to American National Power on July 7, 2006. Within the next month, Topaz will make a 3<sup>rd</sup> Quarter filing for the period July 1-7, 2006.

The Report is being submitted confidentially and under seal pursuant to Procedural Rule 22.71(d). The information provided in this Report consists of privileged and confidential trade secrets, and commercial and financial material, public disclosure of which would cause significant and substantial harm to Coletto, its affiliates and counterparties. As such, Coletto requests the Commission treat this Report as confidential material exempt from public disclosure under the Texas Public Information Act, Texas Government Code, Chapter 552, Sections 552.101 and 552.110 (a) and (b), and is attaching an executed confidentiality agreement substantially in the form provided by the Commission. Coletto further requests pursuant to the Public Utility Regulatory Act (PURA), TEX. UTIL. CODE Section 39.001(b)(4) that the Commission preserve the confidentiality of the information contained within the Report. Coletto will separately submit one (1) compact disks containing a redacted version of the Report that may be used as required.

Contact information for Coletto is as follows:

Barbara Clemenhagen  
Vice President, External Relations  
Topaz Power Group, LLC  
2705 Bee Caves Road Suite 340  
Austin, Texas 78746  
Voice: (512) 314-8621  
Mobile: (512) 670-6702

1702

Thank you for your attention to this matter. I can be reached at (512) 314-8621 if you have any questions regarding this submittal.

A handwritten signature in black ink, appearing to read 'Barbara Clemenhagen', with a long horizontal flourish extending to the right.

Barbara Clemenhagen  
*On behalf of Coleta Creek WLE, LP*

Enc.

## CONFIDENTIALITY AGREEMENT

This agreement is entered into between Coletto Creek WLE, LP ("Reporting Entity"), a Wholesale Seller of Electricity required to file Quarterly Wholesale Electricity Transaction Reports ("Report") under P.U.C. Subst. R. 25.93, with its office located at 2705 Bee Caves Road Suite 340, Austin, Texas and the Staff of the Public Utility Commission of Texas located in Austin, Texas ("Staff") (together "Parties").

WHEREAS, Reporting Entity wishes to file its 2006 Reports electronically with the protections afforded information filed as "confidential" under P.U.C. Proc. R. 22.71(d), and

WHEREAS, P.U.C. Proc. R. 22.71 does not address the confidential status of information filed electronically, and

WHEREAS, Staff wishes to receive all 2006 Reports electronically, and

WHEREAS, Staff wishes to afford information submitted electronically to the Commission pursuant to P.U.C. Subst. R. 25.93, the same confidential treatment as information submitted in full compliance with P.U.C. Proc. R. 22.71(d),

NOW THEREFORE, Parties agree to the terms and conditions stated herein as evidenced by the signatures of their respective, duly authorized representatives below:

I.

The Report that is the subject of this agreement has the unique Report Key Number: **S0600030R200620006**.

II.

Reporting Entity has filed, electronically, its Report for the 2<sup>nd</sup> Quarter of 2006.

III.

Staff shall treat information submitted pursuant to paragraph II, herein, as confidential to the same degree as information properly submitted under P.U.C. Proc. R. 22.71(d).

IV.

This agreement contains the entire agreement and understanding between the Parties with regard to its subject matter.

V.

Staff designates Mr. Robert Saathoff as the contract administrator and the point of contact for contract administration. Reporting Entity designates Barbara Clemenhagen as contact administrator and point of contact for contract administration:

Public Utility Commission of Texas  
Attention: Robert Saathoff  
1701 N. Congress Ave., Rm. 7-160

Austin, Texas 78701

Staff of the Public Utility Commission Of Texas

Coletto Creek WLE, LP  
2705 Bee Caves Road Suite 340  
Austin, Texas 78746

By: Topaz Power Group, LLC

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature

Name: Barbara Clemenhagen

Title: Vice President, External Relations

8/9/06  
Date