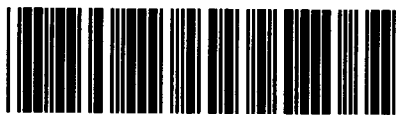




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**PUC DOCKET NO. 35717  
SOAH DOCKET NO. 473-08-3681**

<b>APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY LLC FOR AUTHORITY TO CHANGE RATES</b>	§ § §	<b>BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS</b>
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2008 AUG 21 AM 11:49  
FILED  
CLERK

**ONCOR ELECTRIC DELIVERY COMPANY LLC'S  
STATEMENT OF CONFIDENTIALITY CONCERNING RESPONSES TO  
STEERING COMMITTEE OF CITIES SERVED BY ONCOR'S  
TENTH REQUEST FOR INFORMATION**

**TO THE HONORABLE WENDY K. L. HARVEL, ADMINISTRATIVE LAW JUDGE:**

COMES NOW Oncor Electric Delivery Company LLC ("Oncor"), by and through its attorneys of record, and pursuant to the Protective Order entered in this Docket, submits this Statement of Confidentiality Concerning Responses to Steering Committee of Cities Served by Oncor's ("Cities") Tenth Request for Information.

**I. BACKGROUND**

Oncor is providing responses to Cities' Tenth Request for Information. Responses to the requests listed below contain sensitive commercial information that is considered confidential and, as a result, the responses were provided under the Protected Material or Highly Sensitive Protected Material designation (material designated under either heading hereinafter called, "Protected Material") pursuant to the Protective Order entered in this Docket.<sup>1</sup> This statement is being filed to comply with the requirement of Paragraph 4 of that Protective Order related to claims of exemption from public disclosure pursuant to the Public Information Act. Oncor asserts that the information that has been marked as Protected Material is exempt from public disclosure pursuant to sections 552.101 and 552.110 of the Texas Public Information Act ("TPIA").<sup>2</sup>

**II. ARGUMENT**

The Protected Material is exempt from disclosure under the TPIA because it contains confidential, competitively-sensitive commercial or financial information, the public disclosure of which would cause substantial competitive harm to Oncor or third parties.

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<sup>1</sup> Order No. 2, Protective Order (July 21, 2008).

<sup>2</sup> TEX. GOV'T CODE ANN. § 552.001-552.353.

The Protected Material is considered confidential under P.U.C. SUBST. R. 25.272(c)(3). The Protective Order in this Docket specifically recognizes this type of sensitive business operation information as Protected Material that can be used only for the specified purposes in this Docket.

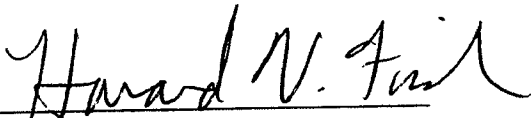
Counsel for Oncor has reviewed the Protected Material sufficiently to state in good faith that the information contained therein is exempt from public disclosure under the TPIA and merits the Protected Material designation. Oncor has provided the following responses designated as Protected Material:

Cities RFI No. 10, Question No. CJ10-3:

Oncor's response to Question No. CJ10-3 includes the Limited Partnership Agreement which forms Capgemini Energy LP, as well as contracts between Capgemini Energy and TXU CG Holdings Company which contain confidential, competitively sensitive commercial and financial information that are excepted from public disclosure under the TPIA as discussed above.

Respectfully submitted,

Oncor Electric Delivery Company LLC

By: 

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**ATTORNEYS FOR ONCOR ELECTRIC  
DELIVERY COMPANY LLC**

**CERTIFICATE OF SERVICE**

It is hereby certified that a copy of the foregoing has been hand delivered or sent via courier service or first class United States mail, postage prepaid, to all parties of record in this proceeding on this the 21<sup>st</sup> day of August, 2008.

Howard V. Fisher