



Control Number: 38290



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SOAH DOCKET NO. 473-10-4790
PUC DOCKET NO. 38290

APPLICATION OF SHARYLAND
UTILITIES, L.P. TO AMEND ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY FOR THE PROPOSED
HEREFORD TO WHITE DEER 345-kV
CREZ TRANSMISSION LINE
(FORMERLY PANHANDLE AB TO
PANHANDLE BA) IN ARMSTRONG,
CARSON, DEAF SMITH, OLDHAM,
POTTER, AND RANDALL COUNTIES,
TEXAS

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BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

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**OBJECTION OF PATTERN RENEWABLES LP TO THE DISCLOSURE OF
INFORMATION UNDER THE TEXAS PUBLIC INFORMATION ACT**

Pursuant to the protective order approved in the instant proceeding, Pattern Renewables LP (“Pattern Renewables”) files this, its objection to the disclosure of certain information under the Texas Public Information Act, TEX. GOV’T. CODE ANN., Chapter 552, and in support of its objection states as follows:

I. BACKGROUND

Pattern Renewables has filed ATTACHMENT A to the Direct Testimony of Glen Hodges as Confidential Highly Sensitive Protected Material. Attachment A is a Pattern Renewables wind resource map which graphically identifies Panhandle areas having the best wind speed based on Pattern Renewables’ analysis. The information contained on the wind resource map is restricted proprietary information available within Pattern Renewables only on a “need to know” basis and not made available publically by Pattern Renewables.

II. ARGUMENT

Paragraph 4 of the protective order adopted by the ALJ in Order No. 4 requires that the producing party file with the Commission and deliver a written statement to each party indicating (a) any exceptions to the Public Information Act, TEX. GOV’T. CODE ANN., Chapter 552 which the producing party claims to be applicable to the protected materials; (b) the reasons supporting the producing party’s claim that the responsive information is exempt from public disclosure

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under the Public Information Act and subject to treatment as protected materials; and (c) that counsel for the providing party has reviewed the information sufficiently to state in good faith that the information is exempt from public disclosure under the Public Information Act and merits the protected materials designation.

A. The material claimed as Highly Sensitive Protected Material constitutes trade secret and/or certain commercial information that is privileged or confidential by statute or judicial decision and specifically exempted from the Public Information Act. See, TEX. GOV'T. CODE ANN., Sections 552.101 and 552.110 as well as Texas Rules of Evidence, Rule 507. Trade secrets are an important property interest worthy of protection. *In re Continental Gen. Tire, Inc.*, 979 S.W.2d 609 (Tex. 1998).

B. Responsive information is exempt from public disclosure under the Public Information Act and subject to be treated as Highly Sensitive Protected Materials because it contains business operations information and market-sensitive information that would expose Pattern Renewables to an unreasonable risk of harm. Each basis for exempting the responsive information from public disclosure is either specifically or generally recognized by the Protective Order adopted in this case.

C. Counsel has reviewed the information sufficiently to state that the information is exempt from public disclosure under the Texas Public Information Act and merits the Highly Sensitive Protected Material designation.

Respectfully submitted,

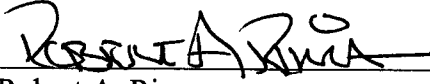


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Attorney for Pattern Renewables LP

CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record on August 27, 2010, by regular mail or e-mail delivery.



Robert A. Rima