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SOAH DOCKET NO. 473-10-4789
P.U.C. DOCKET NO. 38324

APPLICATION OF ONCOR §
ELECTRIC DELIVERY COMPANY, §
LLC TO AMEND A CERTIFICATE OF §
CONVENIENCE AND NECESSITY §
FOR THE WILLOW CREEK-HICS 345- §
KV CREZ TRANSMISSION LINE IN §
DENTON, PARKER, TARRANT, AND §
WISE COUNTIES, TEXAS §
§

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

FILED
10 JUL 19 PM 2:17
STATE OFFICE
FILED CLERK

**ONCOR ELECTRIC DELIVERY COMPANY LLC'S STATEMENT REGARDING
PROTECTED MATERIALS**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE WILLIAM G. NEWCHURCH:

COMES NOW Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and files this Statement Regarding Protected Materials in compliance with paragraph 4 of the Public Utility Commission of Texas' ("Commission's") Standard Protective Order.

I.

In this Supplemental Response to the Bonds Ranch 1st Set of RFIs, Oncor has designated certain responses as "Highly Sensitive Protected Material" and has indicated that it will produce those responses subject to review under the Standard Protective Order adopted in this docket. Accordingly, Oncor submits this Statement Regarding Protected Materials to comply with paragraph 4 of the Commission's Standard Protective Order.

II.

On June 12, 2010, Oncor filed its Response to the Bonds Ranch's 1st set of RFIs. Subsequent to that filing Oncor has identified additional information responsive to that request. Certain portions of Oncor's Supplemental Response contain information that is confidential and protected as Critical Energy Infrastructure Information ("CEII"). For the reasons stated below, **ONCOR ELECTRIC DELIVERY COMPANY LLC'S STATEMENT REGARDING PROTECTED MATERIALS** - Page 1

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Oncor's responses to these questions are excepted from public disclosure as confidential information under Sections 552.101 of the Texas Public Information Act and federal regulation.¹

III.

The Protected Material provided by Oncor in response to the Bonds Ranch 1st Set of RFIs (RFI No. 1-14) provides information regarding grid reliability and security and simulations performed by ABB Grid Systems Consulting as part of another CREZ CCN Application. The Electrical Reliability Council of Texas ("ERCOT") has previously requested that the contents of the ABB Letter and the underlying analysis be treated as Critical Energy Infrastructure Information ("CEII"), pursuant to § 388.113, 18 CFR Ch. 1 (4-1-09 Edition). Under that federal regulation, CEII includes information concerning "specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that: (i) Relates details about the production, generation, transportation, transmission, or distribution of energy; (ii) Could be useful to a person in planning an attack on critical infrastructure; (iii) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552." § 388.113 (c)(1). Oncor's response to the Bonds Ranch's 1st Set of RFIs contains information regarding this critical infrastructure. Therefore, this information constitutes CEII and is confidential and exempt from public disclosure under the Freedom of Information Act and § 388.113, 18 CFR Ch. 1. For these reasons, Oncor has submitted the Protected Materials under the terms of the Protective Order.

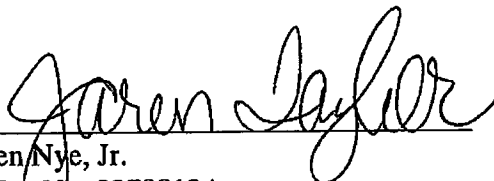
¹ TEX. GOV'T CODE ANN. §§ 552.001-.353 (Vernon 2004 & Supp. 2007).

IV.

The undersigned counsel for Oncor has reviewed the information described above and has found in good faith that the documents contain confidential information that is exempt from disclosure under the Texas Public Information Act and merit the "Highly Sensitive Protected Materials" designation.

Respectfully submitted,

VINSON & ELKINS LLP

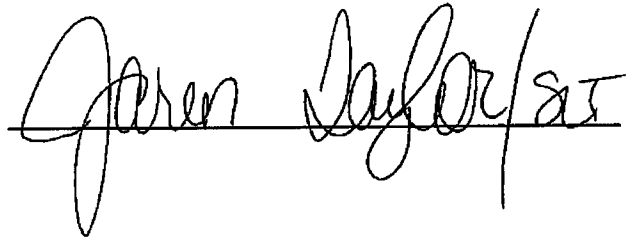
By: 
E. Allen Nye, Jr.
State Bar No. 00788134
Jaren A. Taylor
State Bar No. 24059069

Trammell Crow Center
2001 Ross Avenue
Suite 3700
Dallas, Texas 75201
Telephone: 214.220.7700
Facsimile: 214.220.7716

**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 overnight delivery or first class United States mail, postage prepaid, to all parties of record in this proceeding on this the 19th day of July, 2010.

A handwritten signature in black ink, appearing to read "Jaren Taylor/ST", is written over a horizontal line. The signature is cursive and somewhat stylized.

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