



Control Number: 38339



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SOAH DOCKET NO. 473-10-5001  
PUC DOCKET NO. 38339

APPLICATION OF CENTERPOINT §  
ENERGY HOUSTON ELECTRIC, §  
LLC FOR AUTHORITY TO CHANGE §  
RATES §

BEFORE THE  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS

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**NOTICE OF CONFIDENTIAL FILING BY  
CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**

CenterPoint Energy Houston Electric, LLC (“CenterPoint Houston”) submits this notice, pursuant to paragraph 4 of the Protective Order in this case, that it has today submitted under seal certain responses to the Texas Legal Services Centers and Texas Ratepayers’ Organization to Save Energy’s First Request for Information.

The response to the following request contains information that is filed as Highly Sensitive Protected Material under the Protective Order:

TLSC/TXROSE 1-17 Please provide a copy of each document identified in your answer to No. 1-16.

Specifically, this request seeks information about commercially sensitive business operations including forecasted demand and customer-specific information. That information qualifies as Highly Sensitive Protected Material because it is commercial and/or financial information excepted from public disclosure under the Texas Public Information Act, TEX. GOV’T CODE ANN., Chapter 552 (“TPIA”).

In 1999, the Texas Legislature amended § 552.110 of the TPIA by specifically recognizing that the disclosure of commercial or financial information can cause substantial harm to the person from whom the information was obtained. This amendment removed the express requirement that the information needed to be privileged or confidential by statute or judicial decision to be exempted from disclosure. The express language of the liberalized exemption in § 552.110(b) is designed to protect commercial or financial information.

CenterPoint Houston asserts that the information provided in response to the above request is commercial and/or financial information, the disclosure of which would cause substantial harm to CenterPoint Houston and/or its affiliates. The information is therefore exempt from public disclosure under TPIA § 552.110(b).

Counsel for CenterPoint Houston has reviewed the information sufficiently to state in good faith that the information is exempt from disclosure under the TPIA and merits Highly Sensitive Protected Material designation.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all parties of record in this proceeding, by facsimile, hand delivery, e-mail, or United States first class mail on this 17<sup>th</sup> day of September 2010.

Linda A Johnston