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SOAH DOCKET NO. 473-22-0768
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APPLICATION OF ONCOR ELECTRIC	§	BEFORE THE STATE
DELIVERY COMPANY LLC TO	§	
AMEND ITS CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY FOR	§	OFFICE OF
THE OLD COUNTRY SWITCH 345-KV	§	
TAP TRANSMISSION LINE IN ELLIS	§	
COUNTY	§	ADMINISTRATIVE HEARINGS

ONCOR ELECTRIC DELIVERY COMPANY LLC’S
STATEMENT OF CONFIDENTIALITY

Oncor Electric Delivery Company LLC (“Oncor”) submits this Statement of Confidentiality and would respectfully show as follows:.

I. INTRODUCTION

On August 26, 2021, Oncor filed with the Public Utility Commission of Texas (“Commission”) an Application for a Certificate of Convenience and Necessity for the proposed Old Country Switch 345-kV Tap transmission line project (the “Project”). On November 4, 2021, the Commission Administrative Law Judge (“ALJ”) issued Order No. 7, which entered a modified Protective Order governing the provision of Protected Materials and Highly Sensitive Protected Materials in this docket. On November 10, 2021, the Commission ALJ referred the matter to the State Office of Administrative Hearings (“SOAH”). On December 13, 2021, the SOAH ALJs issued SOAH Order No. 2, setting December 17, 2021 as the deadline for Oncor to file direct testimony in this proceeding. Oncor is filing its direct testimony concurrently with this Statement of Confidentiality

Oncor has designated certain materials included with its direct testimony as “Protected Materials” and/or “Highly Sensitive Protected Materials” and will produce those documents subject to the Protective Order in this docket. Accordingly, Oncor submits this Statement to comply with paragraph 4 of the Protective Order.

II. PROTECTED MATERIALS DESCRIBED

Information contained in Oncor’s direct testimony has been designated as Protected Materials and/or Highly Sensitive Protected Materials and is exempt from public disclosure,

consistent with the Texas Public Information Act (“TPIA”).¹ The materials designated as Protected Materials do not include documents contained in the public files of the Commission or any other state agency, court, or local governmental authority subject to the TPIA. Nor do they include documents that have been publicly disclosed as of the time of this filing. Therefore, these materials are eligible for designation as Protected Materials.

The documents identified as Highly Sensitive Protected Materials contain commercially sensitive business operations information. This information includes (i) non-public study results and analyses that include operational details of Oncor’s transmission system, and (ii) critical energy infrastructure information (“CEII”), including detailed technical data concerning the Electric Reliability Council of Texas (“ERCOT”) transmission system. This information meets the definition of ERCOT CEII in Section 2.1 of the ERCOT Nodal Protocols and could be useful to a person planning an attack on critical infrastructure, as it contains strategic information beyond the location of the critical infrastructure.

Paragraph 6 of the modified Protective Order entered in this docket defines CEII as Highly Sensitive Protected Materials and also defines Highly Sensitive Protected Materials to generally include any information that would expose the producing party to unreasonable risk of harm. The definition specifically includes, without limitation, business operations information that is commercially sensitive. Therefore, under TPIA §§ 552.101 and 552.110 and the terms of the modified Protective Order entered in this docket, this information is exempt from public disclosure and is subject to treatment as Highly Sensitive Protected Materials in this proceeding.

III. CONCLUSION

Undersigned counsel for Oncor has reviewed the above-described information sufficiently to state in good faith that the information is exempt from disclosure under the TPIA and merits the Protected Material and/or Highly Sensitive Protected Materials designation pursuant to the modified Protective Order entered in this docket.

¹ TEX. GOV’T CODE ANN. §§ 552.001-552.353 (West 2012 & Supp. 2016).

Respectfully submitted,

By: /s/ Jared M. Jones

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**ATTORNEYS FOR ONCOR ELECTRIC
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CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing has been served by email on all parties of record who have provided an email address on this the 17th day of December, 2021, in accordance with the Commission's Second Order Suspending Rules issued on July 16, 2020, in Project No. 50664.

/s/ Jared M. Jones