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**SOAH DOCKET NO. 473-22-00992
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APPLICATION OF ONCOR ELECTRIC	§	BEFORE THE STATE OFFICE
DELIVERY COMPANY LLC TO	§	OF
ADJUST ITS ENERGY EFFICIENCY	§	ADMINISTRATIVE HEARINGS
COST RECOVERY FACTOR	§	

**ONCOR ELECTRIC DELIVERY COMPANY LLC'S
STATEMENT OF CONFIDENTIALITY CONCERNING RESPONSES TO
COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION**

**TO THE HONORABLE RACHELLE NICOLETTE ROBLES, ADMINISTRATIVE
LAW JUDGE:**

COMES NOW Oncor Electric Delivery Company LLC ("Oncor"), by and through its attorney of record, and pursuant to the Protective Order in this Docket, submits this Statement of Confidentiality Concerning Responses to Commission Staff's First Request for Information ("RFI").

I. BACKGROUND

Oncor is providing responses to Commission Staff's First RFI. Certain documents provided in those responses contain sensitive commercial information that is considered confidential and, as a result, is being provided under the Protected Material and/or Highly Sensitive Protected Material designation (material designated under either heading hereinafter called, "Protected Material") pursuant to the Protective Order in this Docket. This statement is being filed to comply with the requirements 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").¹

¹ TEX. GOV'T CODE ANN. § 552.001-552.376.

II. ARGUMENT

The Protected Material is exempt from disclosure under the TPIA because it contains confidential competitively-sensitive information, trade secret information, and commercial and financial information which, if publicly disclosed, would likely cause substantial competitive harm to Oncor, ratepayers, or certain other third-party entities. Specifically, Oncor's confidential responses to Commission Staff's First RFI include documents related to energy efficiency (including research and development) contracts involving Oncor and its consultants and inspectors. The above-referenced confidential documents contain contract terms such as pricing, compensation methodology, and scope of work that are confidential and competitively sensitive and excepted from public disclosure under the TPIA. If the Protected Material is made public, Oncor and its consultants and inspectors would be disadvantaged in the market and such disclosure may cause all such consultants and inspectors from having future business relationships with Oncor and other Texas utilities to the detriment of the utilities and their ratepayers.

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.

Respectfully submitted,

Oncor Electric Delivery Company LLC

By: /s/ Ritchie J. Sturgeon

Ritchie J. Sturgeon

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**ATTORNEY 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 1st day of July, 2022, in accordance with the Commission's Second Order Suspending Rules issued on July 16, 2020, in Project No. 50664.

/s/ Ritchie J. Sturgeon