

DOCKETED

Docket Number:	13-ATTCP-01
Project Title:	Acceptance and Training Certification
TN #:	231584
Document Title:	NLCAA's Application for Confidential Designation - Forms
Description:	This document supersedes TN #228857
Filer:	Brianna Kadar
Organization:	National Lighting Contractors Association of America (NLCAA)
Submitter Role:	Applicant
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APPLICATION FOR CONFIDENTIAL DESIGNATION
(Title 20 Cal. Code. Regs., § 2505 et seq.)

CEC-13 (Revised 03/17)

CALIFORNIA ENERGY COMMISSION

All confidential filings: Individual documents may not exceed 30 MB¹ or be password protected.² The application must be a separate document from the confidential materials. The application itself is not confidential and is a public record. The application will be reviewed and acted upon by the Executive Director in consultation with the Chief Counsel of the Energy Commission. (§ 2505, subd. (a))

If you have questions, contact the Docket Unit at (916) 654-5076 or email: docket@energy.ca.gov.

Existing proceedings: Applications for confidentiality and the confidential documents must be uploaded directly to the Docket Unit through the e-filing system. Paper copies or CDs do not need to be submitted. Links to the e-filing system are provided on most proceeding webpages labeled “**Submit e-filing.**” Alternatively, go to: <http://www.energy.ca.gov/e-filing/index.html>. Registration is necessary the first time documents are uploaded. Once registration is complete, to submit a confidential filing click on **Quick Actions** from the **DASHBOARD** and select **Submit Confidential e-filing** from the dropdown list. The application must be uploaded first followed by one or more confidential files.

Filings not associated with any proceeding: Applications for confidentiality and the confidential materials must be submitted directly to the **Docket Unit** in paper form or on a CD, but not by email. Two copies must be submitted, on separate media if electronic, each marked with a descriptive title and “Confidential.” (§ 1208.1)

TO: Energy Commission Docket Unit

Applicant: National Lighting Contractors Association of America (NLCAA)

Address: 3301 E Hill St. Ste 408, Signal Hill, CA 90755

Phone and E-mail: (562) 485-9144, bkadar@nlcaa.org, mscalzo@nlcaa.org

Proceeding or Project Name: 2019 Acceptance Testing Forms

Docket Number: 13-ATTCP-01

- 1(a). Title, date, and description (including number of pages) of the information or data for which you request confidential designation. **Information or data seeking a designation of confidentiality must be included with this application.**

This Document supersedes TN 228857
2019 Acceptance Testing Forms, 28 pages - January 17, 2020

- 1(b). Specify the part(s) of the information or data for which you request confidential designation.

All parts of the submitted document.

¹ Contact the Docket Unit if you cannot reduce the size of your file.

² If you wish to protect the files while in transit, you may combine them in a password-protected .zip file..



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- 2. State and justify the length of time the Energy Commission should keep the information or data confidential.

No end date - The Certification program is ongoing with no end date. This should be applied to any confidential material.

- 3(a). State the provision(s) of the Public Records Act (Gov. Code, § 6250 et seq.) or other law that allows the Energy Commission to keep the information or data confidential, and explain why the provision(s) apply to that material.

The California Public Records Act allows for the non-disclosure of tradesecrets.

(Gov. Code, §§ 6254(k), 6276.44; see also Evid. Code, § 1060.)

- 3(b). Discuss the public interest in nondisclosure of the material submitted for a confidential designation. If the material contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, please state how it would be lost, the value of the information to the applicant and the ease or difficulty with which the information could be legitimately acquired or duplicated by others.

The loss of trade secrets and competitive advantage. How it would be lost - providing unauthorized acces/use to our computer generated testing forms could lead to it being duplicated without consent. Value of the information - Our computer generated forms are part of our quality assurance program for testing procedures, if compromised there would be a large cost associated with the re-creation of the forms and software to ensure compliance. Ease or difficulty of being acquired or duplicated - competitors can duplicate all or part of our testing forms.

- 4. State whether the information or data can be disclosed if it is aggregated with other information or masked to conceal certain portions (including but not limited to the identity of the applicant). State the degree of aggregation or masking required. If the data cannot be disclosed even if aggregated or masked, explain why.

Masking would have to be done to the entire document to ensure trade secrets, format, confidentiality is not compromised.

- 5. State how the material is kept confidential by the applicant and whether it has even been disclosed to a person other than an employee of the applicant. If it has, explain the circumstances under which disclosure occurred.

Documents are only available to approved NLCAA ATTs and ATEs. Copies of the forms have been provided to the CEC, Energy Code Ace and other energy consultants for training purposes.

I certify under penalty of perjury under the laws of the State of California that the information contained in this application for confidential designation is true, correct, and complete to the best of my knowledge and that I am authorized to make the application and certification on behalf of the applicant.

Dated: January 17, 2020

Signed: Michael Scalzo



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CALIFORNIA ENERGY COMMISSION

Name (print or type): Michael Scalzo
Title: (print or type) Executive Director
Representing: NLCAA

Include additional signature blocks if there are multiple partners in the project with shared responsibilities for making the request.

Name (print or type): Brianna Kadar
Title: (print or type): Program Director
Representing: NLCAA