

DOCKETED

Docket Number:	15-OIR-05
Project Title:	Building Energy Use Disclosure and Public Benchmarking Program Mandated under Assembly Bill 802
TN #:	239453
Document Title:	Application for Confidential Designation
Description:	Justification behind why facility information is critical energy and communications infrastructure that should not be disclosed to the public.
Filer:	Andrew Yowell
Organization:	Insight Sourcing Group
Submitter Role:	Applicant Consultant
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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: Robert Butrico

Address: 208 S. Akard St., Dallas, Texas 75201

Phone and E-mail: 210-859-8612; rb2854@att.com

Proceeding or Project Name: Energy Benchmarking Exemptions

Docket Number: 15-OIR-05

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.**

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

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.

Indefinitely

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.

6254.16 (f) - Public nondisclosure of this information outweighs disclosure as these facilities provide critical infrastructure for data and Internet service. Consistent with the Critical Infrastructure Protection Act, this infrastructure plays a role in national security and emergency preparedness.

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 FCC and DHS have also found that communications networks are critical infrastructure, necessary to protect and preserve U.S. national security. In a proceeding involving the potential disclosure of detailed network information, the FCC found that even limited disclosure of such information could increase the risk to national security in the form of attacks against our network. Energy data is strictly not disclosed and unable to be duplicated by others.

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.

This information should not be aggregated or masked. Any reproduction or analysis of information that discloses energy intensity or usage information could put AT&T network security at higher risk of attack.

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.

This material is kept confidential within the confines of the AT&T energy management team or third party agents that are legally bound to nondisclosure. It has been disclosed to qualified third parties on the basis of portfolio wide energy strategy and management.

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: Jul 9, 2021

Signed: 
Robert Butrico (Jul 9, 2021 09:34 MDT)



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CEC-13 (Revised 03/17)

CALIFORNIA ENERGY COMMISSION

Name (print or type): Robert Butrico

Title: (print or type) Senior Energy Manager

Representing: AT&T Communications Inc.

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

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Final Audit Report

2021-07-09

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