

**DOCKETED**

<b>Docket Number:</b>	13-ATTCP-01
<b>Project Title:</b>	Acceptance and Training Certification
<b>TN #:</b>	243551
<b>Document Title:</b>	App for Confidentiality - NLCAA 2022 Application - 15th Amendment
<b>Description:</b>	N/A
<b>Filer:</b>	Brianna Kadar
<b>Organization:</b>	National Lighting Contractors Associaton of Amercia (NLCAA)
<b>Submitter Role:</b>	Applicant
<b>Submission Date:</b>	6/16/2022 12:07:16 PM
<b>Docketed Date:</b>	6/16/2022



## APPLICATION FOR CONFIDENTIAL DESIGNATION (Title 20 Cal. Code. Regs., § 2505 et seq.)

CEC-13 (Revised 11/2021)

CALIFORNIA ENERGY COMMISSION

**All confidential filings:** Individual documents may not exceed 30 MB<sup>1</sup> or be password protected.<sup>2</sup> 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](mailto: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: [https://efiling.energy.ca.gov/Login.aspx?perms\\_1&returnurl=http%3A//efiling.energy.ca.gov/EFiling/EfileSelect/Proceeding.aspx](https://efiling.energy.ca.gov/Login.aspx?perms_1&returnurl=http%3A//efiling.energy.ca.gov/EFiling/EfileSelect/Proceeding.aspx). 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)

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Proceeding or Project Name: NLCAA Application - 15th Amendment

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.**

NLCAA ATTCP Application - Attachment 2 (ATT Course Outline), Attachment 3 (ATE Course Outline), and Appendix 1 (ATT Lab Specifications) (Strikeout/Underlined Pages #27-34, 44-59 and Clean Pages #87-94, 104-113) - June 15, 2022

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

All parts of Attachment 2 (ATT Course Outline), Attachment 3 (ATE Course Outline), and Appendix 1 (ATT Lab Specifications) of Strikeout/Underlined Pages and Clean Pages

<sup>1</sup> Contact the Docket Unit if you cannot reduce the size of your file.

<sup>2</sup> 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.

The information and data should remain confidential for the entire length that the ATTCP Program is in place.

The information contains trade secrets and as long as the program is running, the documents should be protected.

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 trade secrets.

(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 access to our course materials could lead to it being duplicated without consent. Value of the information - This submission details our full ATT and ATE curriculum outlines and ATT lab processes, if compromised there would be a large cost associated with the loss of our trade secrets and competitive advantage. If a competitor was able to access our protected materials, they could duplicate the materials and teach the same courses at a lower cost because they did not have to spend the money developing the materials, order of teaching, and specific methods. Ease or difficulty of being acquired or duplicated - competitors can duplicate all or part of our curriculum.

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.

The order of topics in which NLCAA teaches the students and the manner of teaching is proprietary to NLCAA. 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.

Portions of the material are only provided to ATE/ATT applicants approved to attend/view the ATE/ATT Certification class by NLCAA per our application procedures. These applicants pay for the materials and instruction so that the company is being compensated for the dissemination of its trade secrets to its customers.

Portions of the material are only disclosed to NLCAA staff/volunteers and the CEC.

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: June 15, 2022

Signed: Brianna Kadar



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CALIFORNIA ENERGY COMMISSION

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

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

*Michael Scalzo*

Michael Scalzo  
Executive Director  
June 15, 2022