

**DOCKETED**

<b>Docket Number:</b>	22-HERS-01
<b>Project Title:</b>	2022 HERS Provider Applications for the 2022 Building Energy Efficiency Standards
<b>TN #:</b>	253673
<b>Document Title:</b>	Application for Confidential Designation - Exhibit E - Registry Testing LRMF
<b>Description:</b>	N/A
<b>Filer:</b>	Jennifer Brazell
<b>Organization:</b>	CalCERTS, Inc.
<b>Submitter Role:</b>	Applicant
<b>Submission Date:</b>	12/19/2023 12:09:31 PM
<b>Docketed Date:</b>	12/19/2023



December 18, 2023

Via CEC Docket 22-HERS-01

Energy Commission Docket Unit  
California Energy Commission  
1516 Ninth Street, MS-39  
Sacramento, CA 95814

**RE: Application for Confidentiality for CalCERTS LRMF Application: Exhibit E – Registry Testing LRMF**

CalCERTS is seeking confidential designation for all parts of the Registry Testing documents submitted to the docket 22-HER-01 or through the AWS Portal. The full contents of this submission includes the following:

06/07/2023 – via 22-HERS-01 - Exhibit E - Registry Testing LRMF

- Project Tracking Excel Document

06/07/2023 – via AWS – 06072023\_ Exhibit\_E-Supplement\_Registry\_Testing\_LRMF\_Documents

- Project Tracking PDF Document
- All Project Testing Files

07/12/2023 – via AWS - LRMF\_Registry\_Testing\_Round\_2.zip

- Project Tracking Excel and PDF Document
- All Project Testing Files

07/17/2023 – via AWS - CalCERTSLRMFRegistryTestingRound3.zip

- Project Tracking Excel and PDF Document
- All Project Testing Files

10/20/2023 – via AWS - LRMF\_Oct\_2023\_Round\_1.zip

- Project Tracking PDF Document
- All Project Testing Files

10/26/2023 – via AWS - LRMF\_Oct\_2023\_Round\_2.zip

- Project Tracking PDF Document
- All Project Testing Files

11/03/2023 – via AWS - LRMF\_Nov\_2023\_Round\_3\_and\_4.zip

- Project Tracking PDF Documents
- All Project Testing Files

Pursuant to Title 20, section 2505(a)(4), of the California Code of Regulations, CalCERTS seeks confidential designation using a Repeated Application for the project tracking excel and pdf documents listed above. The original submission of CalCERTS Application for Confidential Designation of Exhibit E (TN 250543) was submitted June 7th, 2023. The California Energy Commission responded on July 17th, 2023, approving Confidential Designation for Exhibit E (TN 251068).

Confidential Designation is being sought for the project tracking excel and pdf documents. The documents are substantially similar to those previously designated as confidential and the facts and circumstances have not changed.

Pursuant to Title 20, section 2505(a)(1), of the California Code of Regulations, CalCERTS seeks confidential designation using a Standard Application for all project testing files listed above.

This application should cover all pdf documents submitted under each project folder within the zip file submitted. The length of time should match prior designations issued to CalCERTS by the CEC for HERS Application Materials; a minimum of ten years, or an additional two code cycles. The provision or law that allows the information to be kept confidential is 20 CCR 2505(a)(3)(a) and California Government Code section 6254. The information sought to be protected qualifies as proprietary information and trade secrets. There is no feasible method of aggregating the information and the information has been protected from public disclosure.

Competitive advantage would be lost if this document was disclosed and made publicly available. CalCERTS has invested for years in designing its registry and its processes. CalCERTS has invested heavily in developing industry and programming expertise and has been developing this expertise since 2003. If the registry and its processes are not protected, anyone wanting to compete with CalCERTS as a HERS Provider would be able to enter the marketplace with a significant advantage since they would be able to bypass the investment needed to strategically organize and create an application process.

The information to be protected by the confidential designation cannot be disclosed in aggregate form. The information is required as part of CalCERTS' application and contains specific proprietary processes. The information for which confidential designation is sought is maintained as confidential by CalCERTS and has not been disclosed to a person other than an employee of CalCERTS.

I certify under penalty of perjury that the information contained in this application for confidential designation is true, correct, and complete to the best of my knowledge.

Sincerely,



Jennifer Brazell  
Project Management Specialist



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