

DOCKETED	
Docket Number:	18-AAER-06
Project Title:	Hearth Products
TN #:	223750
Document Title:	Application for Confidential Designation
Description:	N/A
Filer:	Kyle Reasoner
Organization:	Hussong MFG
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: Hussong MFG

Address: 204 Industrial Park Rd Lakefield, MN 56150

Phone and E-mail: 800-253-4904, kyle@kozyheat.com

Proceeding or Project Name: Appliance Efficiency Hearth Products

Docket Number: 18-AAER-06

- 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.**

File: "Hussong MFG 2017 Appliance Information - CEC", Description: requested information

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

The following sections for all fireplace models: Age of Model, Model Retail Price Range, 2017 Sales in California (units shipped), and Possible Changed In the Next Five Years in California (compare 2017 to 2022).

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.

Hussong MFG states that the specified information be kept confidential for 10 years. Hussong MFG designs fireplaces and is in a competing industry that the release of the confidential information would eliminate the advantage Hussong MFG has with efficiency, MSRP, and Age of models. Disclosure of this information to Hussong MFG competitors would allow them to gain an advantage or make up a shortcoming in their own products.

- 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 justification for the confidentiality is Hussong MFG would its position in the hearth industry's dealer network inside California.

- 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 information that is being asked to be kept confidential would cause a loss of a competitive advantage due to Hussong MFG's strong position in the hearth industry's dealer network in California. Hussong MFG could lose sales due to the disclosure of the requested confidential information. The requested confidential information would be hard for other individuals to acquire since this is specific Hussong MFG business material.

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 requested confidential information does not mask the identity of Hussong MFG. The confidential business information is personal business information.

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 information is only known by employees of Hussong MFG or our dealer network.

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: 6/8/2018

Signed: Kyle Reasoner



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CALIFORNIA ENERGY COMMISSION

Name (print or type): Kyle Reasoner

Title: (print or type) R&D Administration

Representing: Hussong MFG

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