

DOCKETED

Docket Number:	16-ENFORCE-02
Project Title:	Confidential Designation Applications + Miscellaneous Documents
TN #:	223821
Document Title:	Ledvance LLC's Application for Confidential Designation
Description:	Confidential date code marking disclosure information.
Filer:	Patty Paul
Organization:	Ledvance LLC
Submitter Role:	Applicant
Submission Date:	6/15/2018 10:00:18 AM
Docketed Date:	6/14/2018



**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: LEDVANCE LLC

Address: 200 Ballardvale Street, Wilmington MA 01887

Phone and E-mail: 978-764-4122, jennifer.dolin@ledvance.com

Proceeding or Project Name: State-Regulated General Service Lamps, State-Regulated Light-Emi

Docket Number: NA

- 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.**

The lamp letter and advisory notice received from the CEC on June 4th requests that manufacturers provide explanations of date code markings used on lamps indicating the year and month of manufacture, as required in "Marking of Appliances, Name, Model and Date" in 20 CRR section 1607 (b) (3).

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

LEDVANCE requests confidential designation of the date code marking disclosure information it provides to the CEC because it includes proprietary identification of vendor code assigned by LEDVANCE for many of its outsourced products.

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.

This information should be kept confidential indefinitely. This information regarding vendor codes is proprietary to LEDVANCE and must remain confidential so that customers and competitors do not identify the vendors and manufacturing locations.

- 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.

Article 1 -- General Provisions, Section 6254.15 allows for the CEC to keep confidential "corporate proprietary information including trade secrets..."

- 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.

LEDVANCE assigns codes to each vendor from whom we purchase finished products, produced under the SYLVANIA brand or a private label brand for a customer. Should our customers or competitors be able to identify these vendors by their codes, loss of business and/or competitive advantage could occur by direct contact with these vendors.

- 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.

There is no way to aggregate the information, this is not the type of information that can be combined with other competitors' data.

- 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.

The vendor codes are kept confidential internally at LEDVANCE. Each individual code is released to the appropriate vendor. When requested for date code information by a customer or an agency, we provide information regarding the year and week markings.

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 8, 2018

Signed: Jennifer R. Dolin



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CALIFORNIA ENERGY COMMISSION

Name (print or type): Jennifer R. Dolin

Title: (print or type) Regulatory Affairs Manager

Representing: LEDVANCE LLC

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