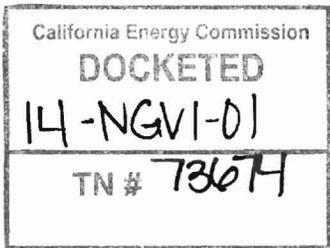


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September 1, 2011



**BY OVERNIGHT DELIVERY**

Mr. Robert P. Ogelsby  
Executive Director  
California Energy Commission  
1516 Ninth St., M.S. #3  
Sacramento, CA 95864-5512

**Re: Autocar, LLC  
Application for Confidential Designation under Title 20 Cal. Code Regs.  
§ 2505 et seq.  
Buy-Down Incentives for Natural Gas and Propane Vehicles Program**

Dear Mr. Ogelsby:

Enclosed is Autocar, LLC's original Application for Confidential Designation under Title 20 Cal. Code Regs. § 2505 et seq., which pertains to the materials set forth in and attached to the enclosed letter to the California Energy Commission dated September 1, 2011 regarding the Buy-Down Incentives for Natural Gas and Propane Vehicles Program.

Please contact me if you have any questions or issues with the Application. Thank you.

Very truly yours,

*Kate Kanabay*  
Kate Kanabay

*Sent  
email to  
Kate  
9-16-11  
regarding second  
request.  
Response*

Enclosures

cc: CEC Grants and Loans Office, Attn: Ms. Debbie Jones

# APPLICATION FOR CONFIDENTIAL DESIGNATION

(Title 20 Cal. Code. Regs., § 2505 et seq.)

TO: ENERGY COMMISSION EXECUTIVE DIRECTOR, MS-39

ENERGY COMMISSION CONTRACT/DOCKET NO. (IF APPLICABLE):

PON-10-604 Buy-down Incentives for Natural Gas and Propane Vehicles

APPLICANT: Autocar, LLC

ADDRESS: 551 S. Washington St., Hagerstown, IN 47346

- 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.**

ARF-3 Buy-Down Incentive Payment Claim Form, Payment Claim Nos. 1-18 and attachments.

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

All information.

2. State and justify the length of time the Energy Commission should keep the information or data confidential.

In perpetuity; or if that is not possible, at least until the conclusion of PON-10-604 - April 1, 2013 or until all the available funds have been exhausted, whichever occurs first.

- 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.

Agencies may withhold confidential trade secret information pursuant to Evidence Code section 1060 which is incorporated into the CPRA through Section 6254(k). The information contains confidential trade secret information including pricing and customer information, the disclosure of which could provide a competitive advantage to other OEM's competing with Autocar, LLC in this industry, both inside and outside of 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 material contains trade secrets which if disclosed would cause a loss of a competitive advantage. How each OEM allocates reserved grant funds is highly competitive and confidential in this industry. Pricing information is highly competitive and confidential in this industry. This information cannot be legitimately acquired or 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.

The information is specifically linked to the OEM, the customer and the vehicle. The information cannot be disclosed if it is aggregated or masked.

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 information is disclosed only to the customer and the dealer.

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 and that I am authorized to make the application and certification on behalf of the applicant.

Dated:  \_\_\_\_\_

Signed: 8/19/11 \_\_\_\_\_

Name (print or type): Thomas P. Vatter

Title: (print or type) Vice President, Sales & Marketing

Representing: Autocar, LLC

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