

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

CEC-13 (Revised 04/14)



An application to keep a record confidential should be submitted directly to the Docket Unit in paper form or on electronic media, but not by email. Five (5) copies of the record for which confidentiality is sought must be submitted, on separate media if electronic, each marked with the title of the record and "confidential." (§ 1209.5, subd. (a)(4).) The application should be on a sheet separate from, but may be attached to, the record. The application will then be acted upon by the Executive Director in consultation with the Chief Counsel of the Energy Commission. (§ 2505, subd. (a).) (November 30, 2011, Standing Order.)

Applications and associated documents related to power plant licensing proceedings must be uploaded directly to Dockets through the e-filing system. Paper copies or CDs do not need to be submitted. Links to the e-filing system are provided on each siting project's Commission webpage.

TO: Energy Commission Docket Unit

Applicant: Glen Weinstein on behalf of iRobot Corporation

Address: 8 Crosby Drive, Bedford, MA

Phone and E-mail: 781.430.3299 or glen@irobot.com

Proceeding or Project Name: Appliance Efficiency Enforcement Matter 340

Docket Number: none

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CHIEF COUNSEL'S OFFICE

- 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.**

Confidential designation is sought for the redacted information in the attached letter to Gabriel Vivas, Senior Counsel, California Energy Commission, dated April 23, 2015.

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

The information for which confidential designation is sought is the redacted information in Exhibit A. The complete letter is Exhibit B.

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

The data should be kept confidential for 5 years because the is the period for which we believe the loss of the data would cause a loss of competitive position.

- 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. (See next page.)

Confidential designation is sought to protect trade secrets and other confidential information protectable under the Public Records Act.. The Public Records Act, Government Code Section 6254(k), incorporates Evidence Code Section 1060, which protects trade secrets.

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- 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 redacted herein contains specific confidential commercial information that is not available through other sources including internal testing data and sales information by product and by region not otherwise available.

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 specific data cannot be released if the identity of the applicant was concealed due to the unique nature of the product. Certain information, if aggregated with additional information not included here, could be suitable for release.

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 for which confidential designation is sought has been developed at the request of California Energy Commission staff and has only been disclosed to iRobot employees and outside counsel for iRobot. Outside counsel are prevented from disclosing it under the attorney-client privilege.

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: April 23, 2015

Signed:

Name (print or type): Glen Weinstein

Glen D. Weinstein
EVP & Chief Legal Officer

Title: (print or type) EVP and Chief Legal Officer

Representing: iRobot

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