



NRG Energy, Inc.
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CONFIDENTIAL COMMERCIAL, PROPRIETARY
TRADE SECRET, CRITICAL INFRASTRUCTURE
INFORMATION

March 14, 2012

VIA E-MAIL to recordsaccessofficer@dps.ny.gov

Donna Giliberto, Esq.
New York State Department of Public Service
Three Empire State Plaza, 18th Floor
Albany, New York 12223-1350

Subject: Case 05-E-0889 – Proceeding on Motion of the Commission To Establish Policies and Procedures Regarding Generation Unit Retirements NRG Energy, Inc. March 14, 2012 Notice of intent to Mothball Dunkirk Units 1, 2, 3 and 4

Dear Ms. Giliberto:

Concurrent with this letter, Dunkirk Power LLC (“Dunkirk”), a wholly owned subsidiary of NRG Energy, Inc. (“NRG”), has submitted to the New York Public Service Commission a Notice of intent to Mothball Dunkirk Units 1, 2, 3 and 4 (“Notice”). Prior to doing so, NRG exercised its right to request that the New York Independent System Operation, Inc. (“NYISO”) and Niagara Mohawk Power Corporation [d/b/a National Grid] (“National Grid”) perform a confidential Additional Reliability Study to assess the impact of the lay-up of Dunkirk Units 1 & 2. The NYISO issued the Additional Reliability Study to NRG on February 7, 2012 which is being submitted herewith because it includes information pertinent to the Notice.

NRG hereby seeks permanent trade secret status for the attached materials related to that request under Section 6-1.3 (b) (1) of the Commission's Codes, Rules and Regulations (16 NYCRR § 6-1.3(b)(1) and Section 87 (2) (d)) of the New York Public Officers Law (N.Y. Pub. Off. Law § 87(2)(d) (McKinney 2007)) because the attached materials contain confidential commercial, proprietary, trade secret, and critical infrastructure information. Because the materials are confidential in their entirety, a cover sheet is attached designating these materials as "Confidential Commercial, Proprietary, Trade Secret, Critical Infrastructure Information."

Pursuant to Section 6-1.3 (b) (2) of the Commission's Codes, Rules and Regulations, "[a] person submitting trade secret or confidential information to the department shall clearly state the reason(s) why the information should be excepted from disclosure ... " In accordance therewith,

NRG hereby requests that the materials be excepted from disclosure because they constitute commercially-sensitive, proprietary information that is not publicly known; would provide valuable market and other information to NRG's competitors that cannot otherwise be obtained or duplicated by them; and would cause unfair economic and competitive damage to NRG were the materials to be disclosed.

Accordingly, excepting the materials from disclosure is consistent with New York Public Officers Law § 87 (2) because disclosure would cause substantial competitive and economic injury to NRG's competitive position and could otherwise endanger public health and welfare (see N.Y. Pub. Off. Law § 87 (2)(d) (McKinney 2007)).

Sincerely,



Bradley Kranz
Director, Regulatory & Market Affairs - NY
NRG Energy, Inc.

Attachments (via e-mail)