

DETERMINED TO BE AN
ADMINISTRATIVE MARKING
E.O. 12965, Section 6-103
By *JMV* NARS, Date *5/2/2013*

The Honorable W.J. "Billy" Tauzin
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Tauzin:

Thank you for your letter of January 23, 2002 to Chairman Pitt raising a series of questions in connection with the review by the Committee on Energy and Commerce of issues surrounding Enron Corporation.

Responses to the questions posed in your letter are provided in the enclosed memorandum dated February 1, 2002 from Alan Beller, Director of the Commission's Division of Corporation Finance, to me. I also enclose the documents requested in your letter, as further described in Mr. Beller's memorandum.

We understand that, absent extraordinary circumstances, it is not the practice of Congressional committees to make public disclosure of sensitive, nonpublic material without prior consultation with the responsible agency. Since some of the records being produced and the information being provided include such sensitive nonpublic information, we respectfully request that the Committee follow that practice in this instance. As I am sure you can understand, we have to be very concerned with the possibility of any disclosure of information that could unduly prejudice the subject of an investigation, raise questions about the independence of the Commission enforcement actions or otherwise jeopardize Commission enforcement actions. See Securities and Exchange Commission v. Wheeling Pittsburgh Steel Corp., 482 F. Supp. 555 (W.D. Pa 1979), vacated and remanded on other grounds, 648 F. 2d 118 (3d Cir. 1981). We appreciate your understanding of these concerns.

We appreciate the Committee's interest in this matter and look forward to working with you on these important issues. Please have your staff contact Casey Carter, Director of the SEC's Office of Legislative Affairs, at (202) 942-0010, should you require further assistance with this matter.

Yours truly,

David M. Becker
General Counsel