

| DOCKETED | |
|-------------------------|---|
| Docket Number: | 25-IEPR-03 |
| Project Title: | Electricity and Gas Demand Forecast |
| TN #: | 264273 |
| Document Title: | Peninsula 2025 IEPR Confidentiality Declaration Demand Forecast |
| Description: | N/A |
| Filer: | Jen-Ann Lee |
| Organization: | Braun Blaising and Wynne |
| Submitter Role: | Public Agency |
| Submission Date: | 6/16/2025 10:49:27 AM |
| Docketed Date: | 6/16/2025 |

June 16, 2025

Drew Bohan
Executive Director
Docket No. 25-IEPR-03, Electricity Resource Plans
California Energy Commission
715 P Street
Sacramento, CA 95814

Re: Application of Peninsula Clean Energy Authority for Confidential Designation of Information Contained in its 2025 Electricity Demand Forecast

Dear Mr. Bohan,

Peninsula Clean Energy Authority (“PCE”) requests the California Energy Commission (“Commission”) designate information included in PCE’s 2025 Electricity Demand Forecast Forms 8.1a and 8.1b as confidential pursuant to Title 20, Cal. Code. Regs. (“CCR”), Section 2505 et seq. and the justifications set forth below. In accordance with the Commission’s *2025 Instructions for Submitting Demand Forecasts*¹, PCE provides the following information in support of its application for confidentiality designation.

Contact Information

Applicant Name: Peninsula Clean Energy Authority
Phone Number: (408) 716-4745
Email: slevia@peninsulacleanenergy.com
Address: 2075 Woodside Rd,
Redwood City, CA 94061
Proceeding Name: Electricity and Gas Demand Forecast
Docket Number: 25-IEPR-03

All correspondence regarding this filing should be directed by electronic mail to the attention of:

Shayna Levia
Power Resources Analyst
Peninsula Clean Energy Authority
slevia@peninsulacleanenergy.com

Description and Identification of Confidential Information

For docket number 25-IEPR-03, PCE seeks confidential treatment for the Forms 1.3 and 3, which contains information relating to peak demand by sector and incremental demand modifier impacts, respectively. PCE has yellow-highlighted the confidential information in PCE’s Forms 1.3 and 3 in the Electricity Demand Forecast.

¹ *2025 Instructions for Submitting Demand Forecasts*, Cal. Energy Commission (Jan. 6, 2025), <https://efiling.energy.ca.gov/GetDocument.aspx?tn=260901&DocumentContentId=97333>. (TN #260901)

Length of Time the Information Should Be Kept Confidential

PCE requests that the Commission keep PCE's information confidential and protected from public disclosure for a period of 3 years, until June 15, 2028. This length of time is needed to ensure that PCE's detailed budget appropriations, cost information, and revenue allocations in Forms 1.3 and 3 remain secure from market participants that could make competitive use of this information to the detriment of PCE, PCE's ratepayers, and the electricity market as a whole. Further, this length of time is consistent with how the Commission has treated similar information.²

Provisions of Law Allowing the Commission to Keep the Documentation Confidential

PCE seeks confidentiality for these Forms on the following bases:

1. **Previous Confidentiality.** Under the CCR, Title 20, Section 2505(a)(4), information submitted to the Commission can be deemed confidential without the need for a new application so long as the new information is substantially similar to information previously granted confidentiality. The Commission granted PCE's previous confidentiality application requesting confidential treatment for its Electricity Demand Forecast as provided in *Peninsula Clean Energy Authority Application for Confidentiality Designation, 21-IEPR-02, ERP*, issued October 21, 2021. The information requested in this Application is substantially similar to the information protected in 21-IEPR-02, and should be similarly protected.
2. **Public Entity Designation.** PCE also asserts confidentiality under Section 2505(b) as a local agency which possesses information pertinent to the responsibilities of the Commission that has been designated by PCE as confidential under the Public Records Act. The Commission has previously recognized PCE's claim of confidentiality under Section 2505(b), and should do so here.
3. **Balancing Tests.** Even if the above justifications were not available, the information should be protected under California Government Code, Section 7922.000, which permits protection of information where the public interest in nondisclosure clearly outweighs the public interest in disclosure. The information in Forms 1.3 and 3 is highly commercially sensitive, not publicly known, and if revealed could cause significant harm to load serving entities, like PCE. Such information, if disclosed, would reveal contract prices, actual costs, projected costs, and projected revenues, which would have a significant impact on the energy and capacity market in California. The public does not have a meaningful interest in reviewing this information in a disaggregated form, and disclosure may impact the energy and capacity market causing public harm.

Disclosure in an Aggregated Form

² See 21-IEPR-02, *CEC IEPR Response Letter Peninsula Clean Energy Authority-PCEA-9-17-21* (Oct. 21, 2021) (TN#:240128).

The data in question can be disclosed if it is aggregated with other LSE load forecast and supply information at a level that does not permit PCE's confidential information to be derived from the aggregated data.

The Submitted Information Is Presently Confidential

PCE does not publicly disclose its bilateral contract prices, actual costs, projected costs, or projected revenues, which is information required in Forms 1.3 and 3. PCE considers such information market sensitive, as public disclosure of this information could compromise PCE's competitive position in the electricity market.

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. I also certify that as a community choice aggregator, PCE is a local government agency, and I am authorized to make the application and certification on behalf of PCE.

Dated: June 16, 2025

/s/ Shayna Levia

Shayna Levia
Power Resources Analyst
Peninsula Clean Energy Authority
slevia@peninsulacleanenergy.com