

DOCKETED	
Docket Number:	25-IEPR-03
Project Title:	Electricity and Gas Demand Forecast
TN #:	264281
Document Title:	Confidentiality Application and Prior Granting Letter
Description:	Confidentiality application designating as confidential the hourly load data provided to the CEC in Form 1.6a. Includes, as historical justification, CEC letter dated May 3, 2017, previously granting confidentiality to Form 1.6a data.
Filer:	Eric Goss
Organization:	LADWP
Submitter Role:	Public
Submission Date:	6/16/2025 5:27:05 PM
Docketed Date:	6/16/2025

June 10, 2025

Mr. Drew Bohan
Executive Director California Energy Commission
1516 Ninth Street
MS-39
Sacramento, California 95814-5504

Dear Mr. Bohan:

Subject: Repeated Designation of Confidentiality for Data Included by the Los Angeles
Department of Water and Power in the Electricity Demand Forecast
Form 1.6a for the 2025 Integrated Energy Policy Report

The Los Angeles Department of Water and Power (LADWP) is notifying the California Energy Commission (CEC, also referred to as Commission) that LADWP again designates as confidential the hourly load data it is providing to the CEC in Form 1.6a for an Integrated Energy Policy Report (IEPR). For the 2025 IEPR, this includes the hourly load data for years 2023 and 2024 and forecasted year 2025. This confidential hourly load data is highlighted in the enclosed Form 1.6a (Confidential Records). LADWP expects the CEC to designate all the Confidential Records as confidential and to protect them accordingly.

In the 2017 IEPR¹, LADWP submitted certain data in the Electric and Natural Gas Demand Forecast Forms 1.6a, 1.6c, and 1.6d, which it considered to be confidential. In a letter dated May 3, 2017, from the CEC's Executive Director Robert Oglesby, the CEC granted LADWP's request for confidentiality for certain data in the Electric and Natural Gas Demand Forecast Forms 1.6a, 1.6c and 1.6d (2017 CEC Granting Letter). The 2017 CEC Granting Letter specifically referenced California Code of Regulations (CCR), Title 20, Section 2505(b) to designate the requested information as confidential. Section 2505(b) provides as follows:

When another federal, state, regional, or local agency or state-created private entity, such as the California Independent System Operator, possesses information pertinent to the responsibilities of the Commission that has been designated by that agency as confidential under the Public Records Act, or the Freedom of Information Act, the Commission, the Executive Director, or the Chief Counsel may request, and the agency shall submit the information to the Commission without an application for confidential designation. The Commission shall designate this information confidential. [20 CCR §2505(b)].

¹ Public Resources Code Section 25301 and 20 CCR Section 1345(a).

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As was done before in 2017, LADWP designates the Confidential Records to be provided for the 2025 IEPR as confidential. Additionally, in the 2017 CEC Granting Letter, the CEC agreed that LADWP made a reasonable claim that the data at issue constitutes a trade secret, which would be exempt from public disclosure under Government Code Section 6254(k), which incorporated the terms of Evidence Code section 1060. The Confidential Records are considered by LADWP to be a trade secret, among other reasons for nondisclosure. Furthermore, the 2017 CEC Granting Letter stated that, "For future Integrated Energy Policy Reports, if the Applicant files data with a certification under penalty of perjury that the new information is substantially similar to the information previously granted confidentiality, there is no need for a new application under California Code of Regulations, title 20, sections 2505(a)(1)(G) and 2505(a)(4)."²

LADWP is hereby submitting this repeated confidentiality designation for the Confidential Records contained in the 2025 IEPR Form 1.6a. The Confidential Records constitute new information that is substantially similar to the information the CEC previously granted confidentiality. The requested certification under penalty of perjury is attached.

In addition, the Confidential Records consisting of actual data should be deemed confidential for five years from the date that the data was collected, as previously granted in the 2017 CEC Granting Letter for similar records. 2023 data should be maintained confidential until July 1, 2029. 2024 data should be maintained confidential until July 1, 2030. Similarly, the Confidential Records consisting of forecasted data should be deemed confidential for five years after the date that the associated actual data would be collected. Thus, the 2025 data should be maintained confidential until July 1, 2031. It would not be acceptable to aggregate the data on a countywide basis or regional basis. However, aggregation of the data on a statewide basis would be acceptable. Data may be released only if it is aggregated and anonymous such that the underlying reasons for confidentiality are protected.

If there are any questions or concerns, please contact me at (213) 367-0787 or email at Silvia.Lozano@ladwp.com. You may also contact Jordi Burbano at (213) 367-0343 or email at Jordi.Burbano@ladwp.com.

Sincerely,



[Silvia Lozano \(Jun 12, 2025 11:51 PDT\)](#)

Silvia Lozano
Chief Compliance Officer

EG:rm
Enclosure
c: Arash Saidi
Jordi Burbano
Eric Goss

CERTIFICATION BY LOS ANGELES
DEPARTMENT OF WATER AND POWER (LADWP)

I declare under penalty of perjury under the laws of the State of California that (i) the information submitted by LADWP in the Form 1.6a Recorded LSE Hourly Loads for 2023 and 2024 and Forecast Loads for 2025 for the 2025 Integrated Energy Policy Report is substantially similar to the certain information in LADWP's Electricity and Natural Gas Demand Forecast Forms 1.6a, 1.6c, and 1.6d for the 2017 Integrated Energy Policy Report that was previously granted confidentiality by the California Energy Commission (CEC) and (ii) all the facts and circumstances relevant to confidentiality of this type of information remain unchanged. I am authorized to make this certification on behalf of LADWP.

By: *Silvia Lozano*
[Silvia Lozano \(Jun 12, 2025 11:51 PDT\)](#)

Silvia Lozano
Chief Compliance Officer
Los Angeles Department of Water and Power

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512



May 3, 2017

Mukhlesur Bhuiyan
Assistant Director of Power Planning and Power
Los Angeles Department of Water and Power
11 N. Hope Street
Los Angeles, California 900012-2607

RE: **Application for Confidential Designation for Data Included in the
Electricity and Natural Gas Demand Forecast for the 2017 IEPR
Docket No. 17-IEPR-03**

Dear Mr. Bhuiyan:

The California Energy Commission is in receipt of an Application for Confidentiality submitted on behalf of the Los Angeles Department of Water and Power (Applicant). The application seeks confidential designation for certain data in the Electric and Natural Gas Demand Forecast Forms 1.6a, 1.6c, and 1.6d (Confidential Records).

The application states that confidentiality is sought for specified portions of the Excel Spreadsheet electronic file which contain hourly load data. Applicant states that it is feasible to summarize the data contained in the Confidential Records on a statewide basis, which would sufficiently aggregate and mask the information for public disclosure. The Confidential Records have not been previously disclosed to the public.

A properly filed Application for Confidentiality shall be granted under the California Code of Regulations, title 20, section 2505(a)(3)(A), "If the applicant makes a reasonable claim that the Public Records Act or other provision of law authorizes the [Energy] Commission to keep the record confidential." The California Public Records Act allows for the non-disclosure of trade secrets. (Gov. Code, § 6254(k); Evid. Code, § 1060.)

California courts have traditionally used the following definition of trade secret:

A trade secret may consist of any formula, pattern, device or compilation of information which is used in one's business, and which gives him an opportunity to obtain an advantage over competitors who do not know or use it. . . .

(*Uribe v. Howe* (1971) 19 Cal.App.3d 194, 207, citing the Restatement of Torts, vol. 4, § 757, comment b, p.5.)

California Code of Regulations, title 20, section 2505(a)(1)(D), states that if an applicant for confidential designation believes that the record should not be disclosed because it contains trade secrets, or its disclosure would otherwise cause loss of a competitive advantage, an application shall state: 1) the specific nature of the advantage; 2) how the advantage would be lost; 3) the value of the information to an applicant; and 4) the ease or difficulty with which the information could be legitimately acquired or duplicated by others.

The application addresses these four elements: 1) the Confidential Records contain historical and forecasted hourly data which provide key information on how to calculate the Applicant utility's load curve characteristics; 2) the data could be used by Applicant's competitors to model future load and discern how and when Applicant needs energy to meet ratepayer demand, causing Applicant to lose an advantage in keeping electric rates competitive in Applicant's territory; 3) the data has commercial value to Applicant, who invested substantial time and resources in developing load forecasts and load research data; and 4) the Confidential Records are not available to the public or readily available in the marketplace.

Additionally, under California Code of Regulations, title 20, section 2505, subsection (b), Applicant, as a government entity, may submit information designated by that government entity as confidential under the Public Records Act without an application for confidential designation, and the California Energy Commission will designate this information as confidential. The application, although not required, clearly demonstrates Applicant's treatment of the Confidential Records as confidential under the Public Records Act, and so the Confidential Records are entitled to such designation by the California Energy Commission.

The application is clear that confidentiality is being sought for trade secret information related to utility hourly load data. Therefore, Applicant has made a reasonable claim that the law allows the California Energy Commission to keep the specified portions of the Confidential Records from public disclosure.

Applicant requests that the information be kept confidential for five years from the date the data was collected: 2015 data could be publicly disclosed on February 1, 2021; 2016 data could be publicly disclosed on February 1, 2022; and 2017 data could be publicly disclosed on February 1, 2023. The trade secret information has market value for approximately three years after its production to the California Energy Commission; therefore, it is appropriate to grant confidentiality for five years from the date the data was collected.

For the reasons stated above, the request for confidential designation for the Confidential Record is granted. The information will remain confidential for five years

Mr. Bhuiyan
May 3, 2017
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after the data was collected (the equivalent of three years after the data was given to the California Energy Commission).


This grant of confidentiality is only for those specified portions marked by yellow highlighting in the Confidential Records. Please file a public version of the forms to the docket. This public document should be redacted only to the point necessary to protect confidentiality.

The data submitted with this application is substantially similar information previously designated as confidential during the development of prior Integrated Energy Policy Reports. For future Integrated Energy Policy Reports, if the Applicant files data with a certification under penalty of perjury that the new information is substantially similar to the information previously granted confidentiality, there is no need for a new application under California Code of Regulations, title 20, sections 2505(a)(1)(G) and 2505(a)(4).

Be advised that persons may petition to inspect or copy records that I have designated as confidential. The procedures and criteria for filing, reviewing, and acting upon such petitions are set forth in the California Code of Regulations, title 20, section 2506.

If you have any questions concerning this matter, please contact Michelle Chester, Staff Counsel, at (916) 651-2935.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. P. Oglesby', with a long horizontal flourish extending to the right.

Robert P. Oglesby
Executive Director

cc: Docket Unit, California Energy Commission
Cynthia Rogers, California Energy Commission