

DOCKETED	
Docket Number:	25-PSDP-01
Project Title:	Power Source Disclosure Program - 2024
TN #:	264911
Document Title:	Constellation NewEnergy, Inc Repeated Application for Confidential Designation
Description:	N/A
Filer:	Eric Janssen
Organization:	Biering & Brown, LLP
Submitter Role:	Applicant Representative
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July 18, 2025

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

**RE: Repeated Application for Confidential Designation
Constellation NewEnergy, Inc. Updated 2024 Power Source Disclosure
Annual Report, Docket No. 25-PSDP-01.**

Dear Mr. Bohan:

Constellation NewEnergy, Inc., (“CNE”) respectfully requests protection of certain information provided to the Commission in its accompanying Updated 2024 Power Source Disclosure (“PSD”) Annual Report. CNE updates its Annual Report filed with the Commission on June 2, 2025 to report additional Unbundled Renewable Energy Credits that were retired after the June 2 reporting deadline.

Information submitted to the Energy Commission can be deemed confidential without the need for a new application under California Code of Regulations, Title 20, Sections 2505(a)(1)(G) and 2505(a)(4) if CNE files a certification under penalty of perjury that the new information is substantially similar to the information previously granted confidentiality. By letter dated July 11, 2025, you granted CNE’s repeated application for confidential designation for information submitted in CNE’s 2024 PSD Annual Report in this docket 25-PSDP-01 (see Attachment A).

CNE’s Updated 2024 PSD Annual Report contains information that is substantially similar to its previously submitted 2024 PSD Annual Report and all facts and circumstances relevant to the confidentiality of the information remain unchanged. Accordingly, CNE requests that the following information remain confidential through December 31, 2025:

Form	Information to be held confidential
Worksheet “Annual Data”	• Retail Sales in cells O23, Z2 • Net Specified Procurement in cell Z3; • Unspecified Power in cells O24, Z16, Z17; • Net Specified Biomass & Biogas, Geothermal, Eligible Hydroelectric, Solar, Wind, Large Hydroelectric, Nuclear, in cells Z4:Z10; • Gross MWh Procured in cells G26:G377; • Net MWh Procured in cells I26:I377, O26:O377, AA26:AA377;
Worksheet “Unbundled REC Worksheet”	• Total Retired Unbundled RECs in cell E4; • Retired Unbundled RECs by Facility in cells E7:E20

I certify under penalty of perjury that the information contained in this repeated application for confidential designation is true, correct, and complete to the best of my knowledge. I also certify that I am authorized to make this repeated application and certification on behalf of Constellation NewEnergy, Inc.

Please feel free to contact me at (916) 447-2166 should you or Staff have any questions or require additional information regarding this Repeated Application. Thank you for your consideration of our request.

Sincerely,



Andrew B. Brown
Biering & Brown, LLP
Attorneys for Constellation NewEnergy, Inc.

Submitted via Confidential e-filing.

ATTACHMENT A

California Energy Commission July 11, 2025 Letter Granting
Constellation NewEnergy, Inc.'s Repeated Application for Confidential Designation for Data
Power Source Disclosure Annual Report
(Docket No. 25-PSDP-01)

DOCKETED	
Docket Number:	25-PSDP-01
Project Title:	Power Source Disclosure Program - 2024
TN #:	264679
Document Title:	CEC Response to Constellation New Energy, Inc's Repeated Application for Confidentiality
Description:	N/A
Filer:	Marianna Brewer
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	7/11/2025 2:53:24 PM
Docketed Date:	7/11/2025



July 11, 2025

Via Email

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**Repeated Application for Confidential Designation for Data Power Source
Disclosure Annual Report
Docket No.: 25-PSDP-01**

Dear Andrew Brown:

The California Energy Commission (CEC) has received Commercial Energy of Montana, Inc. dba Commercial Energy of California (applicant) repeated application (TN 263614) for confidential designation, docketed June 1, 2025, for the following:

- 2024 Power Source Disclosure Annual Report

The applicant states that these records were previously determined by the CEC's executive director to be confidential (TN 258727). The applicant requests the data be confidential until December 31, 2025. This term is consistent with the one-year period this type of data is considered confidential by the CPUC. (See Order Instituting Rulemaking, R.05-06-040, D.06-06-066 Appendix 2 and D.08-04-023 Appendix B, ESP Confidentiality Matrix Section V Market Purchases of Energy and Capacity.) The applicant asserts, under penalty of perjury, that the 2024 Power Source Disclosure Annual Report contain information that is substantially similar to previously submitted information that was granted confidential designation, and all facts and circumstances relevant to the confidentiality of the information remain unchanged.

California Code of Regulations title 20, section 2505(a)(4) provides:

If an applicant is seeking a confidential designation for information that is substantially similar to information that was previously deemed confidential by the Commission pursuant to section 2508, or for which an application for confidential designation was granted by the Executive Director pursuant to subdivision (a)(3)(A) of this section, the new application need contain only a certification, executed under penalty of perjury, stating that the information submitted is substantially similar to the previously submitted information and that all the facts and circumstances

relevant to confidentiality remain unchanged. An application meeting these criteria will be approved.

The applicant has met the requirements for confidential designation of the above information as a repeated application. Confidentiality is granted through December 31, 2025, under the same terms issued for similar data found in the CEC response letter docketed on August 29, 2024 (TN 258727).

Be advised that under California Code of Regulations, title 20, section 2506, one may petition to inspect or copy records that the CEC has designated as confidential. A decision on a petition to inspect or copy confidential records is issued by the CEC's chief counsel. Under California Code of Regulations, title 20, section 2507, the executive director may disclose records, or release records previously designated as confidential, in certain circumstances. The procedures for acting on a petition and criteria for disclosing or releasing records previously designated as confidential are set forth in California Code of Regulations, title 20, sections 2506-2508.

If you have questions, please email confidentialityapplication@energy.ca.gov.