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| Document Title: | CEC Response to Constellation NewEnergys Application for Confidentiality |
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CALIFORNIA ENERGY COMMISSION



December 17, 2025

Via Email

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**Repeated Application for Confidential Designation of Constellation NewEnergy, Inc.
2025 IEPR Electricity Resource Planning Forms
Docket No. 25-IEPR-02**

Dear Andrew B. Brown,

The California Energy Commission (CEC) has received Constellation NewEnergy, Inc's (applicant) repeated application for confidential designation, docketed December 16, 2025 (TN 267948), for the following records:

- Constellation NewEnergy, Inc 2025 IEPR Electricity Resource Planning Forms

The applicant seeks confidentiality of certain portions of the information submitted in the data sets, specifically:

- CEC Form S-1 Capacity/Energy Requirement Form:
 - Capacity Procurement Requirement (MW), Peak Load Calculations for years 2023-2028, line numbers 1-2e, 4-8, 11;
 - Energy Procurement Requirement (GWh), Energy Demand Calculations for years 2023-2028, line numbers 12-13e, 16, 18;
 - Historic LSE Peak Load for Years 2023-2024, line numbers 19, 25.
- CEC Form S-2 Capacity/Energy Supply Resources Form:
 - Capacity Supply Resources (MW):
 - Total Other Bilateral Contract Supply for years 2023-2028, line number 7a;
 - Other Bilateral_Resource Adequacy Aggregate for years 2023-2028, line number 7c;
 - Energy Supply Resources (GWh)
 - Short-Term and Spot Market Purchases (and Sales) for years 2023-2024, Line 8;
 - Capacity/Energy Balance Summary (for both Capacity and Energy Supply Resources):

- Total: Existing and Planned Supply for years 2023-2028, line number 9;
- Firm LSE Procurement Requirement for years 2023-2028, line number 10;
- Net Surplus (or need) for years 2023-2028, line number 11;
- S-5 Table: Other Bilateral_Resource Adequacy Aggregate, Capacity (MW) Under Contract, line number 7c (cell I48 only).

The applicant states that these records were previously determined be CECs executive director to be confidential for a period of three years from December 5, 2024, (TN 260484) and August 12, 2025 (TN 265562). The applicant asserts, under penalty of perjury, that the records submitted under this application contain information 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 for a period of three years, under the same terms as those in the grant of confidentiality on November 30, 2022 (TN 247812).

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