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**APPLICATION FOR CONFIDENTIAL DESIGNATION
Calpine PowerAmerica-CA, LLC (“CPA”)
Power Source Disclosure Annual Report (Year 2025)**

Attachment 1(b)

CPA requests that the following information remain confidential:

Information to be held confidential:

Annual Data

- Total Retail Sales information in cells Q3 and Q25
- Unspecified Power purchase data in cells Q18, Q19, and Q26

2025 PCL Data

- Total Retail Sales information in cell B3
- Total Loss-Adjusted Load in cell H3

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Attachment 2

CPA requests that the identified information be kept confidential until December 31, 2027. This specific term is requested to align the protection of data provided by the California Energy Commission (“CEC”) with the protection of data provided by the California Public Utility Commission’s (“CPUC”) confidentiality program.

CPA’ power source information should be kept confidential because: (1) the specificity of this information is not otherwise publicly available or readily discoverable; (2) a summary of CPA’ very recent wholesale and retail activities is market sensitive and constitutes trade secrets; and (3) releasing CPA’ confidential commercial information would result in loss of competitive advantage in the wholesale and retail marketplaces relative to CPA’ ability to negotiate future contracts for the purchase or resale of energy and/or capacity at wholesale, or negotiation of contracts with retail customers.

Maintaining the confidentiality of data until December 31, 2027 is appropriate because the data is expected to retain validity and market value through that period, and because any lesser period would undermine existing protection of the same or substantially similar data by other regulators or market entities, including the CPUC, the California Air Resources Board and the California Independent System Operator (“CAISO”). CPA has also fashioned this request to reflect the scope of protection provided to energy service provider (“ESP”) data in CPUC Decision (“D.”) 06-06-066, Appendix 2 (“ESP Matrix”) and related modifications made in D.08-04-023, in an effort to have consistency across California energy agencies.¹

¹While CPA understands and acknowledges that the confidentiality rules granted by the CPUC and the CEC are different in some respects, CPA seeks to maintain consistency in the data it makes publically available. Consistency also prevents CPA from inadvertent disclosures of confidential information.

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Attachment 3(a)

The California Public Records Act exempts “trade secrets” from public disclosure, including “any formula, plan, . . . production data, or compilation of information . . . , which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service . . . and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.”² Under the California Evidence Code, information that is commercially sensitive is also considered a “trade secret.”³ CEC regulations provide for information to be designated as confidential if such information “contains a trade secret or its disclosure would otherwise cause a loss of a competitive advantage.”⁴

The information identified in Attachment 1(b) contains trade secrets or otherwise commercially sensitive data. Disclosing these trade secrets and commercially sensitive data would cause CPA loss of a competitive advantage. CPA operates in the competitive and dynamic retail electricity markets and is a net purchaser in the competitive wholesale markets. To protect its commercial advantages over other ESPs and investor-owned utilities (“IOUs”), CPA has taken reasonable steps to preserve information on its retail and wholesale market positions in strict confidence. The data identified in Attachment 1(b) should be protected for the requested period because the information is commercially sensitive, not publicly available, and is otherwise unknown to those outside of CPA. The public interest in nondisclosure clearly outweighs the public interest in disclosure insofar as the release of CPA’s commercial data could be used to directly or indirectly determine CPA’s market position and procurement strategy to the detriment of CPA and its customers.⁵

Accordingly, CPA requests that all of the information described in Attachment 1(b), and any related, supporting data that may be provided pursuant to a subsequent CEC request, be designated as confidential.

²Cal. Gov. Code § 6254.7(d).

³Cal. Evid. Code § 1060; Cal. Civ. Code § 3426.1(d).

⁴Tit. 20, Cal. Code Regs., § 2505(a)(1)(D).

⁵See Cal. Gov. Code § 6255(a) (establishing balancing test).

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Attachment 3(b)

CPA would be harmed by public disclosure of the information identified in Attachment 1(b) because the information reflects CPA' historical retail sales for the year 2025. If disclosed, this information could be used to directly or indirectly determine CPA' market position to the detriment of CPA and its customers. Competitors could be able to ascertain CPA' Renewables Portfolio Standards obligations and make CPA' power procurement and compliance obligations more expensive, which could increase costs for CPA and its customers.

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Attachment 4

CPA has considered whether it would be possible to aggregate or mask the information identified in Attachment 1(b), and has concluded that it could support the aggregation of CPA-specific information with similar information from all other Electric Service Providers (“ESPs”) and solely disclosed on a statewide aggregated basis. CPA believes that disclosure of CPA-specific data of the types collected here, even if aggregated on a statewide basis but specific to CPA, could lead to the disclosure of CPA’ wholesale and retail market positions and thereby result in harm to CPA.

Given the degree of competition between ESPs, CPA asserts that any ESP-specific listing of data by utility territory would result in disclosure of confidential data.

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Attachment 5

CPA has not disclosed any of the information identified in Attachment 1(b) to anyone other than its employees, attorneys and consultants working with CPA, or government agency or CAISO employees subject to confidentiality responsibilities. CPA routinely keeps information of commercial value, like the subject information identified herein, confidential. In fact, all CPA employees, officers and directors are required to maintain the confidentiality of information entrusted to them by CPA or its customers, suppliers, business partners or others in the course of conducting business with the Company, except when disclosure is authorized or legally mandated.