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November 4, 2026

Drew Bohan, Executive Director
Docket No. 26-IEPR-02 Electricity Resource Plans
California Energy Commission
715 P Street
Sacramento. CA 95814

CALPINE ENERGY SOLUTIONS, LLC'S APPLICATION FOR DESIGNATION OF CONFIDENTIAL RECORDS AND SUBMITTAL OF ELECTRICITY RESOURCE PLANNING FORMS YEARS 2024-2035, DOCKET NO. 26-IEPR-02

This confidentiality application is in support of Calpine Energy Solutions, LLC's ("Calpine Solutions") Electricity Resource Planning Forms Years 2024-2035 in Docket No. 26-IEPR-02. Calpine Solutions hereby respectfully requests that the Commission designate as confidential the information and data set forth in the attached Electricity Resource Planning Form S-1, Form S-2 and Form S-5.

Form S-1 (CRATs) contains forecasted annual Peak Demand Calculations and annual Capacity Purchases, by utility service territory, for the years 2024 through 2035, using 2025 actual loads for forecasted 2026 and years forward.

Form S-2 (Energy Balance) contains expected annual Energy Demand and annual Bilateral contracted generation, by utility service territory, for the years 2024 through 2035, using 2025 actual loads for forecasted 2026 and years forward.

Form S-5 (Bilateral Contracts) contains detailed information about Calpine Solutions' physical supply arrangements and bilateral contract information for the years 2024-2035.

The above described information, when highlighted in yellow, has not been released to the public, is based on contracts Calpine Solutions has in place at the time of the Electricity Resource Plan's creation and is considered proprietary and confidential information. Calpine Solutions is not aware of any way in which this information could be legitimately acquired or duplicated by others.

Calpine Solutions is submitting the information and data set forth in the above-mentioned form in accordance with the Forms and Instructions adopted by the Commission in Order No. 04-1103-03. The Commission adopted the Forms and Instructions pursuant to its authority under PRC Section 25301(a), which authorizes the Commission to collect information and data from energy market participants that the Commission needs in order to prepare the biennial Integrated Energy Policy Report ("IEPR").

Calpine Solutions submits that the data on Form S-1 (CRATs), Form S-2 (Energy Balance) and Form S-5 falls under the auspices of Automatic Designation for confidential treatment per California Code of Regulations ("CCR") Title 20, subsection 2505 (a)(5)(B)(2). However, if the Executive Director determines otherwise, Calpine Solutions submits that since the data described above is directly derived from historical energy consumption metering that CCR Title 20, subsection 2505 (a)(5)(B)(1) applies.

Under PRC Section 25322, the Commission is required to grant a request for confidential designation of information collected pursuant to Section 25301(a) if:

(a) the information is exempt from disclosure under the California Public Records Act (Govt. Code §§ 6250 et seq.);

(b) the information meets the confidentiality requirements set forth in the Commission's regulations; or

(c) on the facts of the particular case, the public interest served by not disclosing the information outweighs the public interest served by disclosure.

The 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." (Govt. Code § 6254.7(d).)

The Commission's regulations provide for information to be designated as confidential if it "contains a trade secret or its disclosure would otherwise cause a loss of a competitive advantage." (20 CCR § 2505(a)(1)(D).)

The above mentioned forms submitted by Calpine Solutions contain trade secrets or otherwise commercially sensitive data. As the Executive Director correctly observed, this information "could provide significant insight into business strategies in a way that could harm the competitive situation of the filer."[1] For example, the information could be used to determine Calpine Solutions' historical and forecasted power and capacity needs. That information in turn could be used by Calpine Solutions' competitors to refine their business strategies and cause competitive harm to Calpine Solutions. It could also be used by suppliers, to Calpine Solutions' disadvantage, when negotiating the price and terms of procurement transactions. Customers could use this information to extract better terms in contract negotiations with Calpine Solutions. These examples are not meant to be exhaustive, but rather illustrative in that the disclosure of the data provided would cause Calpine Solutions a loss of competitive advantage at several levels. Accordingly, Calpine Solutions respectfully requests that all of the information and data set forth

[1] Docket 04-IEP-1, *Guidance on Confidentiality of Electricity Demand and Retail Price Information* (Nov. 5, 2004), p. 3.

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in the above mentioned forms (S-1 (CRATs), S-2 (Energy Balance) and S-5) be designated as confidential.

Calpine Solutions further requests that the designation of confidentiality be for a 3-year period. However, the data can be released immediately if aggregated with all the other electric service providers' ("ESP") Electricity Resource Plans.

The undersigned is authorized to make this application and the following certification on behalf of Calpine Solutions:

"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 I am authorized to make the application and certification on behalf of Calpine Americas Energy Solutions, LLC".

CALPINE ENERGY SOLUTIONS, LLC

By: 

Name: Greg Bass

Title: Regulatory Director

Date: November 4, 2026