CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO. CA 95814-5512

June 24, 2011

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Ms. Marcie A. Milner
Vice President, Regulatory Affairs
Shell Energy North America (US), L.P.
4445 Eastgate Mall, Suite 100
San Diego, CA 92121

> RE: **Application for Confidentiality, Shell Energy North America, L.P.,
> IEPR Electricity Demand Forecast Submission
> Docket No. 11-IEP-1C**

Dear Ms. Milner:

On June 6, 2011, the California Energy Commission (Energy Commission) received from Shell Energy North America, L.P. ("Shell Energy") an application for confidentiality in the above-captioned Docket. The application seeks confidentiality for information contained on the Electricity Demand Forecast Forms.

Specifically, Shell Energy requests that the following information be held confidential:

> Form 8.1a contains Applicant's estimated power supply costs for
> the periods 2008 to 2010 (historical) and 2011 to 2014 (forecast).
> This information, which reflects the product of the volumes and
> prices for Applicant's power supply purchases, is market sensitive
> information that is treated as confidential by Applicant.

Shell Energy asserts that this information should be designated confidential because the forms as submitted by Shell Energy:

> …constitutes proprietary trade secret information under
> Government Code Secti8on 6254.15. Public disclosure of this
> information could competitively harm Applicant because the
> information reflects Applicant's estimated total power supply cost
> for its historical and forecast retail load in the service territories of
> the California electric utilities. Disclosure of this information could
> reveal the average price of Applicant's power supply resources and
> could place Applicant at a competitive disadvantage in the
> wholesale and retail electricity markets. 0

Shell Energy requests that the historical information in Form 8.1a be granted confidentiality for one year and that the forecast information in Form 8.1a for years 2011 to 2014 be granted confidentiality for three years. The data can be released if aggregated with all other energy service providers' (ESP) demand forecasts.

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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."

Shell Energy's confidentiality application makes a reasonable claim to grant confidentiality for the data identified above. The information contained on Form 8.1a constitutes a trade secret and would place Shell Energy at a competitive disadvantage if disclosed. The Energy Commission will aggregate the information submitted by Shell Energy to prevent disclosure of information that would cause harm. The data will be aggregated as follows:

1. For individual ESPs, data aggregated at the statewide level by major customer sector.

2. For the sum of all ESPs, data aggregated at the service area, planning area, or statewide levels by major customer sector.

The identified confidential information contained on Form 8.1a for years 2008 to 2010 will be kept confidential until June 3, 2012. The identified confidential information contained on Form 8.1a for years 2011 to 2014 will be kept confidential until June 3, 2014.

Persons may petition to inspect or copy the 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. Be advised that an appeal of this decision must be filed within fourteen days from the date of this decision. The procedures and criteria for appealing any part of this decision are set forth in the California Code of Regulations, title 20, section 2505. If you have any questions concerning this matter, please contact Kerry Willis, Senior Staff Counsel, at (916) 654-3967.

Sincerely,

ROBERT P. OGLESBY
Executive Director

cc: Docket Unit