

**DOCKETED**

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<b>Project Title:</b>	Electricity and Natural Gas Demand Forecast
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<b>Filer:</b>	Ramon D. Gamez
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June 30, 2021

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

Dear Mr. Bohan:

**Subject:** Repeated Designation of Confidentiality for Data Included by the Los Angeles Department of Water and Power (LADWP) in the Electricity Demand Forecast Form 1.6a for the 2021 Integrated Energy Policy Report (IEPR) (Docket 21-IEPR-03)

The LADWP is notifying the California Energy Commission (CEC, also referred to as Commission) that LADWP again designates as confidential the hourly load data it is providing to the CEC in Form 1.6a for an IEPR. For the 2021 IEPR, this includes the hourly load data for years 2019 and 2020 and forecasted year 2022. This confidential hourly load data is highlighted in the enclosed Form 1.6a (Confidential Records). LADWP expects the CEC to designate all the Confidential Records as confidential and to protect them accordingly.

In the 2017 IEPR<sup>1</sup>, LADWP submitted certain data in the Electric and Natural Gas Demand Forecast Forms 1.6a, 1.6c, and 1.6d, which it considered to be confidential. In a letter dated May 3, 2017, from the CEC's Executive Director Robert Oglesby, the CEC granted LADWP's request for confidentiality for certain data in the Electric and Natural Gas Demand Forecast Forms 1.6a, 1.6c and 1.6d (2017 CEC Granting Letter). The 2017 CEC Granting Letter specifically referenced California Code of Regulations (CCR), Title 20, Section 2505(b) to designate the requested information as confidential. Section 2505(b) provides as follows:

*When another federal, state, regional, or local agency or state-created private entity, such as the California Independent System Operator, possesses information pertinent to the responsibilities of the Commission that has been designated by that agency as confidential under the Public Records Act, or the Freedom of Information Act, the Commission, the Executive Director, or the Chief Counsel may request, and the agency shall submit the information to the Commission without an application for confidential designation. The Commission shall designate this information confidential. [20 CCR §2505(b)].*

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<sup>1</sup> Public Resources Code Section 25301 and 20 CCR Section 1345(a).

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As was done before in 2017, LADWP designates the Confidential Records to be provided for the 2021 IEPR as confidential. Additionally, in the 2017 CEC Granting Letter, the CEC agreed that LADWP made a reasonable claim that the data at issue constitutes a trade secret, which would be exempt from public disclosure under Government Code Section 6254(k), which incorporated the terms of Evidence Code section 1060. The Confidential Records are considered by LADWP to be a trade secret, among other reasons for nondisclosure. Furthermore, the 2017 CEC Granting Letter stated that, "For future Integrated Energy Policy Reports, if the Applicant files data with a certification under penalty of perjury that the new information is substantially similar to the information previously granted confidentiality, there is no need for a new application under California Code of Regulations, title 20, sections 2505(a)(1)(G) and 2505(a)(4)."<sup>2</sup>

LADWP is hereby submitting this repeated confidentiality designation for the Confidential Records contained in the 2021 IEPR Form 1.6a. The Confidential Records constitute new information that is substantially similar to the information the CEC previously granted confidentiality. The requested certification under penalty of perjury is attached.

In addition, the Confidential Records consisting of actual data should be deemed confidential for five years from the date that the data was collected, as previously granted in the 2017 CEC Granting Letter for similar records. 2019 data should be maintained confidential until July 1, 2025. 2020 data should be maintained confidential until July 1, 2026. Similarly, the Confidential Records consisting of forecasted data should be deemed confidential for five years after the date that the associated actual data would be collected. Thus, the 2022 data should be maintained confidential until July 1, 2028. It would not be acceptable to aggregate the data on a countywide basis or regional basis. However, aggregation of the data on a statewide basis would be acceptable. Data may be released only if it is aggregated and anonymous such that the underlying reasons for confidentiality are protected.

If there are any questions or concerns, please contact me at (213) 367-2525 or [Simon.Zewdu@ladwp.com](mailto:Simon.Zewdu@ladwp.com). You may also contact Scott Hirashima at (213) 367-0852 or [Scott.Hirashima@ladwp.com](mailto:Scott.Hirashima@ladwp.com).

Sincerely,

Simon Zewdu, Director  
Regulatory Compliance and Specifications Division

RDG:ln  
Enclosure  
c: Scott Hirashima

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<sup>2</sup> See accompanying letter from the CEC, dated May 3, 2017.

CERTIFICATION BY LOS ANGELES  
DEPARTMENT OF WATER AND POWER (LADWP)

I declare under penalty of perjury under the laws of the State of California that (i) the information submitted by LADWP in the Form 1.6a Recorded LSE Hourly Loads for 2019, 2020 and Forecast Loads for 2022 for the 2021 Integrated Energy Policy Report is substantially similar to the certain information in LADWP's Electricity and Natural Gas Demand Forecast Forms 1.6a, 1.6c, and 1.6d for the 2017 Integrated Energy Policy Report that was previously granted confidentiality by the California Energy Commission (CEC) and (ii) all the facts and circumstances relevant to confidentiality of this type of information remain unchanged. I am authorized to make this certification on behalf of LADWP.

By: \_\_\_\_\_

Simon Zewdu, Director  
Regulatory Compliance and Specifications Division  
Los Angeles Department of Water and Power