

DOCKETED

Docket Number:	21-IEPR-03
Project Title:	Electricity and Natural Gas Demand Forecast
TN #:	238671
Document Title:	CNE 2021 IEPR Demand Forms Repeated Confid Application
Description:	N/A
Filer:	Amanda Cooley
Organization:	Ellison Schneider Harris & Donlan LLP
Submitter Role:	Applicant Representative
Submission Date:	7/2/2021 3:46:30 PM
Docketed Date:	7/2/2021



Andrew B. Brown
abb@eslawfirm.com

July 1, 2021

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

**RE: Repeated Application for Confidential Designation
Constellation NewEnergy, Inc. 2021 IEPR Electricity Demand Forecast
Submission, Forms 7.1 and 8.1a (ESP), Docket No. 21-IEPR-03.**

Dear Mr. Bohan:

Constellation NewEnergy, Inc., (“CNE”) respectfully requests protection of certain information provided to the Commission in its accompanying Electricity Demand Forecast submission.

Information submitted to the Energy Commission can be deemed confidential without the need for a new application under California Code of Regulations, Title 20, Sections 2505(a)(1)(G) and 2505(a)(4) if CNE files a certification under penalty of perjury that the new information is substantially similar to the information previously granted confidentiality. By letter dated June 23, 2015 (see Attachment A hereto) you approved CNE’s request for confidential designation for information submitted in CNE’s 2015 IEPR Electricity Demand Forecast submission in docket 15-IEPR-03 related to Form 8.1a.¹ (In that letter, you encouraged CNE to take advantage of the repeated application process in the future where appropriate.) By letter dated May 3, 2017 (see Attachment B hereto) you approved CNE’s request for confidential designation for information submitted in CNE’s 2017 IEPR Electricity Demand Forecast submission in Docket 17-IEPR-03 related to Form 7.1.

CNE’s 2021 Electricity Demand Forecast Forms 7.1 and 8.1a (ESP) submission contains information that is substantially similar to its previously submitted IEPR Electricity Demand Forecast Forms noted above and information and all facts and circumstances relevant to the confidentiality of the information remain unchanged.

¹ We understand that our similar request in the 2017 and 2019 IEPRs were also approved, but those approval letters do not appear to be posted in the respective Docket Logs.

Executive Director Drew Bohan
California Energy Commission
July 1, 2021
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Specifically, CNE requests that the following information, as also indicated by the yellow pattern cells on the accompanying Excel workbook remain confidential through December 31, 2024:

Form	Information to be held confidential
2021 IEPR Electricity Demand Forecast Form 7.1: ESP Report of Loads and Resources Under Contract	All data corresponding to Years 2020-2024, cells C11:D15, F11:F15, H11:I15, K11:K15, M11:N15, P11:P15 (cells are highlighted yellow on Form 7.1.).
2021 IEPR Electricity Demand Forecast Form 8.1a (ESP): Estimated Power-Supply Costs	All data, for annual, actual and/or estimated power-supply costs, for years 2020-2024, cells C9:G10, C12:G12 (cells are highlighted yellow on Form 8.1a (ESP)).

I certify under penalty of perjury that the information contained in this repeated application for confidential designation is true, correct, and complete to the best of my knowledge. I also certify that I am authorized to make this repeated application and certification on behalf of Constellation NewEnergy, Inc.

Please feel free to contact me at (916) 447-2166 should you or Staff have any questions or require additional information regarding this Repeated Application. Thank you for your consideration of our request.

Sincerely,



Andrew B. Brown
Ellison Schneider Harris & Donlan LLP
Attorneys for Constellation NewEnergy, Inc.

Submitted via Confidential e-filing.

ATTACHMENT A

California Energy Commission June 23, 2015 Letter Granting
Constellation NewEnergy, Inc.'s Application For Confidentiality for the
2015 *Integrated Energy Policy Report* Electricity Demand Forecast Submission - Form 8.1a
(Docket No. 15-IEPR-03)

DOCKETED

Docket Number:	15-IEPR-03
Project Title:	Electricity and Natural Gas Demand Forecast
TN #:	205109
Document Title:	Response to Constellation NewEnergy, Inc.'s Application for Confidentiality
Description:	N/A
Filer:	Liza Lopez
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	6/23/2015 9:18:41 AM
Docketed Date:	6/23/2015

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



June 23, 2015

Mr. Andrew B. Brown
Ellison, Schneider & Harris, LLP
Attorney for Constellation NewEnergy, Inc.
2600 Capitol Avenue, Suite 400
Sacramento, CA 95816

**RE: Constellation NewEnergy, Inc.'s Application for Confidentiality for the
2015 Integrated Energy Policy Report Electricity Demand Forecast
Submission – Form 8.1a
Docket - 15-IEPR-03 - Electricity and Natural Gas Demand Forecast**

Dear Mr. Brown:

The California Energy Commission (Energy Commission) is in receipt of an Application for Confidentiality dated May 28, 2015, submitted by Constellation NewEnergy, Inc. (Applicant), seeking confidential designation for the following information:

- Form 8.1a (ESP) – Estimated Power Supply Costs
 - All data, for annual, actual and/or estimated power-supply costs, for years 201-2019, cells C6:H7, C9:H9

Because the information is substantially similar to information previously designated as confidential during the development of prior *Integrated Energy Policy Reports (IEPR)*, this application will be considered a repeated application.

Information submitted to the Energy Commission can be deemed confidential without the need for a new application under California Code of Regulations, title 20, Sections 2505(a)(1)(G) and 2505(a)(4) if you file a certification under penalty of perjury that the new information is substantially similar to the information previously granted confidentiality.

In this case, your current application will serve as your certification and the designation of confidentiality will be under the same terms as the prior designation. In the future when submitting substantially similar information, you may take advantage of the repeated application process by providing a certification along with the data.

Mr. Brown
June 23 2015
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The identified confidential information contained in *IEPR* Form 8.1a (ESP) will be kept confidential until December 31, 2018.

Be advised that persons may petition to inspect or copy 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. If you have any questions concerning this matter, please contact Jared Babula, Senior Staff Counsel, at (916) 651-1462.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Oglesby', with a long horizontal flourish extending to the right.

Robert P. Oglesby
Executive Director

cc: Docket Unit –15-IEPR-03 – Electricity and Natural Gas Demand Forecast
Sylvia Bender
Jared Babula

ATTACHMENT B

California Energy Commission May 3, 2017 Letter Granting
Constellation NewEnergy, Inc.'s Application For Confidentiality for the
2017 *Integrated Energy Policy Report* Electricity Demand Forecast Submission - Form 7.1
(Docket No. 17-IEPR-03)

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512

RECEIVED MAY 05 2017



May 3, 2017

Andrew B. Brown
Ellison Schnieder Harris & Donlan LLP
Attorneys for Constellation NewEnergy, Inc.
2600 Capitol Avenue, Suite 400
Sacramento, California 95816

RE: **Application for Confidential Designation for Data for the 2017 IEPR
Docket No. 17-IEPR-02 and 17-IEPR-03**

Dear Mr. Brown:

The California Energy Commission is in receipt of an Application for Confidentiality submitted on behalf of Constellation NewEnergy (Applicant). The application seeks confidential designation for information that is substantially similar to information that was previously deemed confidential by the Commission, and Applicant certifies that the information submitted is substantially similar to the previously submitted information and that the facts and circumstances relevant to confidentiality remain unchanged. Therefore, Applicant has successfully submitted a repeated application pursuant to California Code of Regulations, title 20, section 2505(a)(4) for the following (Confidential Records):

1. Electricity Demand Forecast Form 7.1; and
2. Energy Resource/Supply Forms: S-1 Capacity Resource Accounting Table, S-2 Energy Balance Table, S-5 bilateral Contracts Table.

This grant of confidentiality is only for those specified portions marked by yellow highlighting in the Confidential Records. Please file a public version of the forms to the docket. This public document should be redacted only to the point necessary to protect confidentiality.

Mr. Brown
May 3, 2017
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If you have any questions concerning this matter, please contact Michelle Chester, Staff Counsel, at (916) 651-2935.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michelle Chester", with a stylized flourish at the end.

Michelle Chester

cc: Docket Unit, California Energy Commission
Cynthia Rogers, California Energy Commission
John Hingtgen, California Energy Commission