

DOCKETED	
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Document Title:	Sempra California Utilities' Supplemental Information
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August 12, 2022

Drew Bohan
Executive Director
California Energy Commission
715 P Street
Sacramento, CA 95814

Re: Joint Application for Confidential Designation:
SoCalGas Daily Gas Demand Data, 2017-2021
SDG&E Daily Gas Demand Data, 2017-2021
Docket No. 22-IEPR-03

Dear Mr. Bohan:

Southern California Gas Company and San Diego Gas & Electric Company (collectively the Sempra California Utilities) write in response to the California Energy Commission's July 18, 2022, letter. That letter discussed, among other things, the joint application by the Sempra California Utilities for confidential designation of their Daily Gas Demand Data (2017-2021) and the issues that the Energy Commission had with the requested confidentiality.¹

First, we appreciate the Energy Commission providing the opportunity to give further detail on the information contained in the demand data and the bases for seeking confidential treatment. The Sempra California Utilities also appreciate the Energy Commission counsel's willingness to discuss the issues with the confidential data. Based on those discussions, the Sempra California Utilities are

¹ On April 22, 2022, the Sempra California Utilities submitted data responsive to the CEC's March 11, 2022, request. This information was provided in the "SDG&E Daily Gas Demand Data" and "SoCalGas Daily Gas Demand Data" spreadsheets, which contained daily gas demand data sorted by customer category for the years 2017-2021. A Joint Application in Support of the Confidential Designation of the specified data was submitted on the same date. Pertinent documents were submitted to the Energy Commission's 22-IEPR-03 docket, via the confidential e-filing process, at the direction of Energy Commission staff.

providing additional detail regarding the methodology used to determine which particular items should be given confidential protection, the targeted approach taken in marking data for confidentiality, the confidentiality afforded by the California Public Utilities Commission to similar demand data, and the basis for not designating a time period in which confidentiality would expire.

The Daily Gas Demand Data provided by the Sempra California Utilities was voluminous. For SoCalGas, the data was provided in a spreadsheet with 13 columns and over 1800 rows of daily demand broken out by customer classes as requested by the Energy Commission. For SDG&E, the daily demand data was reflected across nine columns and over 1800 rows of daily demand allocated by requested customer classes. Within those spreadsheets, there were numerous cells that contained data that the Sempra California Utilities determined should be protected as confidential. Cells that contained confidential data were highlighted in the spreadsheets. Determining whether a particular cell should be confidential highlighted cells is the result of analyzing whether the data in each cell was sufficiently aggregated for that particular day and customer class so as to ensure that a particular customer's usage information could not be discerned.

In order to determine whether the information was sufficiently aggregated, the 15/15 Rule analysis was applied for each individual cell in the spreadsheets. The 15/15 Rule comes from the Public Utilities Commission's decisions setting forth a mechanism for assessing whether customer usage data is sufficiently aggregated to protect customer confidentiality.² The 15/15 Rule generally provides that aggregated or anonymized customers' specific information must be made up of at least 15 customers and a single customer's load must be less than 15% of an assigned category. If the number of customers in the compiled data is less than 15, or if a single customer's load is more than 15% of the total data, the Rule provides for combining categories, or removing non-conforming customer information before the information is released, or otherwise protecting the customer information from public disclosure.

Certain data that the Sempra California Utilities provided to the Energy Commission would not allow for further aggregation of data to meet the 15/15 Rule based on the request's parameters. In those instances, the Sempra California Utilities highlighted the data to indicate their confidentiality and to protect customer information from disclosure. The concern is that the data, if not protected, could be paired with publicly available information, and lead to identifying the customer and discerning the customer's usage.³ Accordingly, the Sempra California Utilities performed a calculation for each day and customer class where the 15/15 Rule could have been implicated. Specifically, each day's

² See generally, D.97-10-031 (establishing the 15/15 Rule in the Direct Access context only); D.11-07-056 (the release of data does not disclose or reveal specific customer information because of the size of the group, rate classification, or nature of the information); See also, D.14-05-016 (establishing aggregation requirements for sharing energy usage information in certain contexts).

³ Although not directly on point to the data at hand, the Energy Commission has analogous regulations that provide automatic confidentiality to protect certain classes of user information in instances where "customer identifiers, energy consumption, and any other information" "could allow a third party to uniquely identify a specific respondent." See Title 20, §2505(a)(5)(B).

customer category was reviewed to determine if the customer count within that category was less than 15 customers, or at least one customer's daily load was over 15% of the daily total load for the customer category. For example, the June 17, 2021 entry for "Noncore Industrial" was highlighted, meaning that a calculation was performed that concluded the data was insufficiently aggregated to protect usage data under the 15/15 Rule and the data was insufficiently aggregated to protect usage data. Similarly, for certain customer classes, such as Noncore Wholesale and International, the total number of customers within this classification was less than 15 so that category was marked as confidential.

The Sempra California Utilities and other utilities use the 15/15 rule to apply an objective standard to determine whether data is sufficiently aggregated to protect customer demand information. The Sempra California Utilities are also cognizant that the Rule arises from the Public Utilities Commission decisions and has not been adopted by the Energy Commission. However, the Energy Commission's procedures and regulations recognize the need for aggregation of data and assuring that data remains anonymized.⁴ The Sempra California Utilities are not requesting that the Energy Commission adopt the 15/15 Rule, but want to convey the basis for the Sempra California Utilities' using it in this instance, especially given the substantially similar Public Utilities Commission multi-year data request that was issued on November 5, 2021, for which responsive information was submitted on December 7, 2021.

The November 5, 2021 Public Utilities Commission data request sought multiple years of daily gas demand data sorted by customer categories. The data provided by the Sempra California Utilities to the Public Utilities Commission was substantially similar as the data provided to the Energy Commission.⁵ In response to the Public Utilities Commission's data request seeking daily gas demand data, the Sempra California Utilities performed a similar 15/15 Rule analysis for the data and marked as confidential those entries where the data did not meet the 15/15 Rule. The basis for marking that data confidential with the Public Utilities Commission was the same as that asserted before the Energy Commission and, consistent with the Sempra California Utilities practices before the Public Utilities Commission, did not specify a length of time the data should be kept confidential. The CPUC accepted those confidentiality designations.

Finally, the Sempra California Utilities have not in the past set a limitation on the length of time that this sort of data should remain confidential and are unaware of any applicable tariffs or Public

⁴ See *e.g.*, CEC-13, Q. 4 ("State whether the information or data can be disclosed if it is aggregated with other information or masked to conceal certain portions (including but not limited to the identity of the applicant). State the degree of aggregation or masking required. If the data cannot be disclosed even if aggregated or masked, explain why.")

⁵ The Public Utilities Commission's data request specifically sought daily gas demand data for SoCalGas and SDG&E from November 1, 2009 through October 31, 2021 for the following customer categories: Core Total; Non-Core and Other Total; Non-Core Total; Non-Core Non-EG Total; Core residential; Core commercial; Core industrial; Core NGV; Non-core commercial; Non-core industrial (non-refinery); Non-core refinery; Non-core EOR; Non-core EG; Wholesale; International; Company Use; and, Lost and Unaccounted for Gas.

Utility Commission decisions that would prescribe such a time limit on confidentiality. Nor are the Sempra California Utilities aware of instances where the Public Utilities Commission imposed such a time period for this type of data. In short, the Sempra California Utilities' understanding is that their obligations to protect the customer data are not time-limited, so establishing a time limitation here would not be consistent with their understanding and practices and would not safeguard the customers' usage data.⁶

The Sempra California Utilities appreciate the opportunity to provide additional information on the important confidentiality issues raised in the customer usage data provided to the Energy Commission. Please do not hesitate to contact us if there are any questions or additional information is needed.

Sincerely,

/s/ Eric Gressler

Eric Gressler, Senior Counsel
Southern California Gas Company

/s/ Jonathan Newlander

Jonathan Newlander, Senior Counsel
San Diego Gas & Electric Company

⁶ Furthermore, setting a time limit on confidentiality for data submitted to the Energy Commission would impact the ability to maintain the data's confidentiality indefinitely with the Public Utilities Commission. See Public Utilities Commission General Order 66-D, §3.5 (requiring an information submitter to notify the Commission when information previously submitted as confidential becomes public).