

DOCKETED

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Document Title:	CEC Response Letter to Silicon Valley Clean Energy's Application for Confidentiality - 9-9-22
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December 2, 2022

Via Email

Maren Wenzel
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**Application for Confidential Designation for Data in Integrated Energy
Policy Report
Docket No.: 22-IEPR-03**

Dear Maren Wenzel:

The California Energy Commission (CEC) has received Silicon Valley Clean Energy Authority's (applicant) Application for Confidentiality, docketed September 9, 2022 (TN 245954), covering the following data:

- Form S-1 Capacity/Energy Requirement – Rows 1, 5, 6, 7, 8, 11; Columns I through R
- Form S-2 Capacity/Energy Supply Resources – Rows 6a-7er, Column H; Rows 6a-7er, 9-11, Columns Q through Z; Rows 6a-7er, 9, 11; Columns AD-AM;
- Form S-2A Addendum Monthly Capacity and Energy Data – Rows 10-55; Columns G through DV
- Form S-5 Table – Bilateral Contracts Table – Column J

The applicant states that such data should be designated confidential by the CEC under California Code of Regulations, title 20, sections 2505(a)(4) and 2505(b); and Government Code section 6254(k). The application asserts the data should be confidential for a period of three years from the submission of this application

Under California Code of Regulations, section 2505(b), the CEC shall designate the requested information confidential when the applicant seeks confidentiality as a federal, state, regional, or local agency or state-created private entity, which possesses information pertinent to the responsibilities of the CEC, that has been designated by applicant as confidential under the Public Records Act, or the Freedom of Information Act.

Here, applicant, a local government agency, has itself designated the data to be confidential under the Public Records Act, and the information submitted is

pertinent to the responsibilities of the CEC.

Therefore, the CEC designates the above-described information as confidential for three years. Data may be disclosed if aggregated with data from other load serving entities.

Be advised that under California Code of Regulations, title 20, section 2506, one may petition to inspect or copy records that the CEC has designated as confidential. A decision on a petition to inspect or copy records is issued by the CEC's chief counsel. Under California Code of Regulations, title 20, section 2507, the executive director may disclose, or release records previously designated as confidential in certain circumstances, and the CEC may hold a hearing to determine the confidentiality of its records on its own motion or on a motion by CEC staff. The procedures and criteria for disclosing or releasing, filing, reviewing, and acting upon such petitions or motions are set forth in California Code of Regulations, title 20, sections 2506-2508.

If you have any questions, please email Tanner Kelsey, staff counsel at tanner.kelsey@energy.ca.gov.

Sincerely,



Drew Bohan
Executive Director