

**DOCKETED**

<b>Docket Number:</b>	22-IEPR-03
<b>Project Title:</b>	Electricity Forecast
<b>TN #:</b>	248235
<b>Document Title:</b>	CEC response for Confidential Designation SMUD of October 20, 2022
<b>Description:</b>	N/A
<b>Filer:</b>	Pam Fredieu
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	12/27/2022 1:34:05 PM
<b>Docketed Date:</b>	12/27/2022



December 27, 2022

**Via Email**

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

Dear Andrew Meditz:

The California Energy Commission (CEC) has received SMUD's (applicant) Application for Confidentiality docketed October 20, 2022 (TN 246705), covering the following data:

Form S-2 Capacity/Energy Supply Resources: Columns C – AL, Rows 6h, 6l, 6n, and 6o;

Form S-5 Bilateral Contracts Table: Columns C – M, Rows 6h, 6l, 6n, and 6o.

The applicant states that such data should be designated confidential by the CEC under California Code of Regulations, title 20, section 2505(a)(4) as a repeated application. The applicant requests that the specified data remain confidential for two years after the corresponding contract expires on the dates set forth in Column H in form S-5. The application states that the data cannot be aggregated due to its nature, but that the CEC may disclose data after masking or redacting confidential cells.

California Code of Regulations, title 20, section 2505(a)(4) provides: Repeated Applications for Confidential Designation. If an applicant is seeking a confidential designation for information that is substantially similar to information that was previously deemed confidential by the CEC pursuant to section 2508, or for which an application for confidential designation was granted by the executive director pursuant to 2505(a)(3)(A) of this section, the new application need contain only a certification, executed under penalty of perjury, stating that the

information submitted is substantially similar to the previously submitted information and that all the facts and circumstances relevant to confidentiality remain unchanged. An application meeting these criteria will be approved.

Here, the applicant has attested under penalty of perjury that the information contained in the application is substantially similar to information previously deemed confidential by the CEC under section 2505(a)(3)(A) and that all the facts and circumstances relevant to confidentiality remain unchanged.

Therefore, the CEC designates the above-described information as confidential for the requested term of two years after each corresponding contract expires on the dates set forth in Column H in form S-5. The CEC may disclose data after masking or redacting confidential cells.

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 Ralph Lee, staff counsel at [ralph.lee@energy.ca.gov](mailto:ralph.lee@energy.ca.gov).

Sincerely,



Drew Bohan  
Executive Director