

<b>DOCKETED</b>	
<b>Docket Number:</b>	23-IEPR-02
<b>Project Title:</b>	Electricity Resource Plans
<b>TN #:</b>	251201
<b>Document Title:</b>	CEC's Response Letter to Silicon Valley Clean Energy Authority - Application June 30, 2023
<b>Description:</b>	N/A
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<b>Docketed Date:</b>	7/27/2023



July 27, 2023

**Via Email**

Maren Wenzel  
Silicon Valley Clean Energy Authority  
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**Repeated Application for Confidential Designation for Data in Integrated  
Energy Policy Report  
Docket No. 23-IEPR-02**

Dear Maren Wenzel:

The California Energy Commission (CEC) has received Silicon Valley Clean Energy Authority's (applicant), repeated application for confidential designation, dated June 30, 2023 (TN 250905). The application requests confidential designation for the following data in applicant's Integrated Energy Policy Report (IEPR) Demand Forms:

- Form 8.1a: Budget Appropriations or Actual Costs and Cost Projections by Major Expense Category (2021-2034)
- Form 8.1b: Revenue Requirements Allocation (2021-2034)

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 data be designated confidential for three years, which is the length of time needed to ensure that applicant's budget appropriations, cost information, and revenue allocations in Forms 8.1a and 8.1b remains secure from market participants that could make competitive use of this information to the detriment of applicant and its ratepayers. The applicant states that the data may be publicly released if aggregated with other similar data. The applicant further states that the data is "substantially similar to the information protected in 21-IEPR-03 and should be similarly protected."

California Code of Regulations, title 20, section 2505(a)(4) states, "If an applicant is seeking a confidential designation for information that is substantially similar to information that was previously deemed confidential by the Commission pursuant to Section 2508, or for which an application for confidential designation was granted by the executive director pursuant to subdivision (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.”

The application previously submitted by the applicant was granted on September 29, 2021 (TN 239871) pursuant to California Code of Regulations, title 20, section 2505(a)(3)(A). Therefore, the applicant has established that the identified data qualifies for confidential designation pursuant to California Code of Regulations, title 20, section 2505(a)(4).

### **Executive Director’s Determination**

For the reasons stated, the applicant's confidentiality application is granted. The CEC designates the above-described information as confidential for the term of three years, until July 1, 2026, consistent with the length of time previously granted. Data may be disclosed if aggregated with data from other load serving entities.

Note that in addition to the spreadsheet containing the listed forms above, applicant submitted a second document with its application titled, *2023 IEPR Form 4, Electricity Demand Forecast Methods and Models*. While this document is labeled confidential, it was not addressed in the application. Additionally, on July 26, 2023, the CEC confirmed with the applicant that they did not intend to seek confidential designation for Form 4 and therefore this document has not been designated as confidential.

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 confidential records is issued by the CEC’s chief counsel. Under California Code of Regulations, title 20, section 2507, the executive director may disclose records, or release records previously designated as confidential, in certain circumstances. The procedures for acting on a petition and criteria for disclosing or releasing records previously designated as confidential are set forth in the California Code of Regulations, title 20, sections 2506-2508.

If you have questions, please email [confidentialapplication@energy.ca.gov](mailto:confidentialapplication@energy.ca.gov).

Sincerely,



Drew Bohan  
Executive Director