

DOCKETED	
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Project Title:	Electricity Resource Plans
TN #:	251410
Document Title:	CCCE 2023 IEPR Demand Forecast Confidentiality Declaration
Description:	N/A
Filer:	Jen-Ann Lee
Organization:	Braun Blaising and Wynne
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July 31, 2023

Drew Bohan
Executive Director
Docket No. 23-IEPR-02, Electricity Resource Plans
California Energy Commission
715 P Street
Sacramento, CA 95814

Re: Application of Central Coast Community Energy for Confidential Designation of Information Contained in its 2023 Electricity Demand Forecast

Dear Mr. Bohan:

Central Coast Community Energy (“3CE”) requests the California Energy Commission (“Commission”) designate information included in 3CE’s 2023 Electricity Demand Forecast Forms 8.1a and 8.1b as confidential pursuant to Title 20, California Code of Regulations (“CCR”), Section 2505 et seq. and the justifications set forth below. In accordance with the Commission’s *Final 2023 Instructions for Submitting Demand Forecast*, 3CE provides the following information in support of its application for confidentiality designation.

Contact Information

Applicant Name: Central Coast Community Energy
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Proceeding Name: Electricity Resource Plans
Docket Number: 23-IEPR-02

All correspondence regarding this filing should be directed by electronic mail to the attention of:

Anamika Singh
Power Supply Analyst
Central Coast Community Energy
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Description and Identification of Confidential Information

For docket number 23-IEPR-02, 3CE seeks confidential treatment for the entirety of Form 8.1a, which contains information relating to budget appropriations, actual costs, and other projected costs. 3CE further requests confidential treatment for the entirety of Form 8.1b, which includes confidential total revenue requirements, separated by customer class. 3CE has yellow-highlighted the confidential information in 3CE’s Forms 8.1a and 8.1b in the Electricity Demand Forecast.

Length of Time the Information Should Be Kept Confidential

3CE requests that the Commission keep 3CE's information confidential and protected from public disclosure for a period of 3 years, until July 31, 2026. This length of time is needed to ensure that 3CE's detailed 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 3CE, 3CE's ratepayers, and the electricity market as a whole. Further, this length of time is consistent with how the Commission has treated similar information.¹

Provisions of Law Allowing the Commission to Keep the Documentation Confidential

3CE seeks confidentiality for these Forms on the following bases:

1. **Previous Confidentiality.** Under the CCR, Title 20, Section 2505(a)(4), information submitted to the Commission can be deemed confidential without the need for a new application so long as the new information is substantially similar to information previously granted confidentiality. The Commission granted 3CE's previous confidentiality application requesting confidential treatment for its Electricity Demand Forecast, Forms 8.1a and 8.1b, as provided in *Application for Confidential Designation for Data in Integrated Energy Policy Report, Docket 21-IEPR-03*, issued November 8, 2021. The information requested in this application is similar to the information protected in 21-IEPR-03, and should be similarly protected.
2. **Public Entity Designation.** 3CE also asserts confidentiality under Section 2505(b) as a local agency which possesses information pertinent to the responsibilities of the Commission that has been designated by 3CE as confidential under the Public Records Act. The Commission has previously recognized 3CE's claim of confidentiality under Section 2505(b), and should do so here.²
3. **Balancing Tests.** Even if the above justifications were not available, the information should be protected under California Government Code, Section 7922.000, which permits protection of information where the public interest in nondisclosure clearly outweighs the public interest in disclosure. The information in Forms 8.1a and 8.1b is highly commercially sensitive, not publicly known, and if revealed could cause significant harm to load-serving entities ("LSEs"), like 3CE. Such information, if disclosed, would reveal contract prices, actual costs, projected costs, and projected revenues, which would have a significant impact on the energy and capacity market in California. The public does not have a meaningful interest in reviewing this information in a disaggregated form, and disclosure may impact the energy and capacity market causing public harm.

¹ See 21-IEPR-03, *Response Letter to Central Coast Community Energy Application for Confidential Designation, Docket 21-IEPR-03* (Nov. 8, 2021) (TN#:240425).

² See 22-IEPR-03, *CEC Response to Central Coast Community's Application for Confidentiality - 9-9-22* (Nov. 30, 2022) (TN#:247804).

Disclosure in an Aggregated Form

The data in question can be disclosed if it is aggregated with other LSE load forecast and supply information at a level that does not permit 3CE's confidential information to be derived from the aggregated data.

The Submitted Information Is Presently Confidential

3CE does not publicly disclose its bilateral contract prices, actual costs, projected costs, or projected revenues, which is information required in Forms 8.1a and 8.1b. 3CE considers such information market sensitive, as public disclosure of this information could compromise 3CE's competitive position in the electricity market.

I certify under penalty of perjury that the information contained in this application for confidential designation is true, correct, and complete to the best of my knowledge. I also certify that as a community choice aggregator, 3CE is a local government agency, and I am authorized to make the application and certification on behalf of 3CE.

/s/ Anamika Singh

Anamika Singh
Power Supply Analyst
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