

DOCKETED

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August 10, 2023

Via email

Andrew B. Brown
Ellison Schneider Harris & Donlan LLP
Attorneys for Constellation NewEnergy, Inc.
2600 Capitol Ave, Suite 400
Sacramento, California 95816
abb@eslawfirm.com

**Application for Confidential Designation for Data in Integrated Energy
Policy Report
Docket No. 23-IEPR-02**

Dear Andrew B. Brown:

The California Energy Commission (CEC) has received Constellation NewEnergy Inc.'s (applicant) Application for Confidentiality docketed July 31, 2023, (TN 251403) covering the following data:

- 2023 IEPR Electricity Demand Forecast Form 8.1a (ESP): Estimated Power-Supply Costs – All data corresponding to years 2023-2026, cells D9:G10, and D12:G12

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 and that the data should be confidential through December 31, 2026.

California Code of Regulations, title 20, section 2505(a)(4) provides: Information that has previously received confidential designation under section 2508 or section 2505(a)(3)(A) may receive confidential designation if the application contains a certification, under penalty of perjury, that the information submitted is substantially similar to the information that previously received confidential designation, and that the facts and circumstances of that designation remain unchanged. An application meeting these criteria will be approved.

The applicant has attested under penalty of perjury that the information contained in this application is substantially similar to information previously deemed confidential by the CEC under section 2505(a)(3)(A). Substantially similar information was deemed confidential by the CEC on August 5, 2021, in response letter TN 240255, docket No. 21-IEPR-03.

Therefore, the CEC designates the above-described information as confidential through December 31, 2026. This confidentiality duration is consistent with the

three-year period previously granted in TN 240255. 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 questions, please email confidentialityapplication@energy.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Drew Bohan", with a long horizontal stroke extending to the right.

Drew Bohan
Executive Director