

<b>DOCKETED</b>	
<b>Docket Number:</b>	24-IEPR-02
<b>Project Title:</b>	Electricity Resource Plans
<b>TN #:</b>	260048
<b>Document Title:</b>	OCPA Application for Confidential Designation of 2025 IEPR Electricity Resource Plan
<b>Description:</b>	N/A
<b>Filer:</b>	Kari Cameron
<b>Organization:</b>	Orange County Power Authority
<b>Submitter Role:</b>	Public Agency
<b>Submission Date:</b>	11/14/2024 3:53:49 PM
<b>Docketed Date:</b>	11/14/2024



**November 14, 2024**

Drew Bohan, Executive Director  
California Energy Commission  
715 P Street  
Sacramento, CA 95814

**RE: Application of Orange County Power Authority for Confidential Designation of Information Contained in its 2025 IEPR Electricity Resource Planning Forms**

Dear Mr. Bohan:

Orange County Power Authority (“OCPA”) hereby requests that the California Energy Commission (“Commission”) designate information included in OCPA’s 2025 Integrated Energy Policy Report (“IEPR”) Electricity Resource Planning Forms (“ERP Forms”) as confidential pursuant to Title 20, California Code of Regulations (“CCR”), Section 2505 et seq. for the reasons set forth below.

In accordance with Appendix A to the Commission’s *Forms and Instructions for Submitting Electricity Resource Plans and Transmission Information*, prepared by the Office of the Governor in support of the 2025 IEPR, dated August 2024 (TN 258177) (“Instructions”), OCPA provides the following information in support of its application for confidentiality designation.

**Contact Information**

Applicant Name: Orange County Power Authority  
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Irvine, CA 92619  
Proceeding Name: Electricity Resource Plans  
Docket Number: 24-IEPR-02

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

Joseph M. Mosca  
Chief Executive Officer  
Orange County Power Authority  
[JMosca@ocpower.org](mailto:JMosca@ocpower.org)

## **Description and Identification of Confidential Information**

Regarding its ERP Forms, filed with the Commission in Docket 24-IEPR-02, OCPA seeks confidential treatment for the data identified below as highlighted in OCPA's ERP Forms.

1. Sheet: CEC S-1 Capacity/Energy Requirement Form; *Columns*: H – R; *Lines*: 1 – 25.
2. Sheet: CEC Form S-2: Capacity/Energy Supply Resources Form; (i) *Columns*: P – Z, AC – AM; *Lines*: 32 – 158 and (ii) *Column*: B; *Line*: 161.
3. Sheet: CEC Form S-2: Addendum Monthly Capacity and Energy Data; *Columns*: F – DV; *Lines*: 10 – 19.
4. Sheet: CEC Form S-5: Bilateral Contracts Table; *Column*: I; *Lines*: 6b – 7cj.

## **Length of Time the Information Should be Kept Confidential**

OCPA requests that the Commission keep OCPA's information confidential and protected from public disclosure for a period of 3 years, until November 15, 2027. This length of time is needed to ensure that OCPA's detailed load forecast data in Form S-1 and market position information in Form S2, S-2A, and S-5 remains secure from market participants that could make competitive use of this information to the detriment of OCPA, OCPA's ratepayers, and the electricity market as a whole. Further, this length of time is consistent with how the Commission has treated similar information.<sup>1</sup>

## **Provisions of Law Allowing the Commission to Keep the Documentation Confidential**

OCPA seeks confidentiality for the designated information in its ERP Forms on the following bases:

1. Public Entity Designation. OCPA 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 OCPA as confidential under the Public Records Act.
2. Balancing Tests. Even if the above justification was 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 OCPA's ERP Forms is highly commercially sensitive, not publicly known, and if revealed could cause significant harm to load-serving entities ("LSEs"), like OCPA. 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.

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<sup>1</sup> See, e.g., 21-IEPR-03 (CEC Response Letters to confidentiality applications addressing similar information).

**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 OCPA's confidential information to be derived from the aggregated data.

**The Submitted Information Is Presently Confidential**

OCPA 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. OCPA considers such information market sensitive, as public disclosure of this information could compromise OCPA'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, OCPA is a local government agency and I am authorized to make the application and certification on behalf of Orange County Power Authority.

By: Joseph M. Mosca  
JOSEPH M. MOSCA  
CHIEF EXECUTIVE OFFICER  
ORANGE COUNTY POWER AUTHORITY