

| <b>DOCKETED</b>         |                                       |
|-------------------------|---------------------------------------|
| <b>Docket Number:</b>   | 24-IEPR-02                            |
| <b>Project Title:</b>   | Electricity Resource Plans            |
| <b>TN #:</b>            | 260065                                |
| <b>Document Title:</b>  | Peninsula Confidentiality Application |
| <b>Description:</b>     | N/A                                   |
| <b>Filer:</b>           | Jen-Ann Lee                           |
| <b>Organization:</b>    | Braun Blaising and Wynne              |
| <b>Submitter Role:</b>  | Applicant Consultant                  |
| <b>Submission Date:</b> | 11/15/2024 10:42:38 AM                |
| <b>Docketed Date:</b>   | 11/15/2024                            |

November 15, 2024

Drew Bohan  
Executive Director  
Docket No. 24-IEPR-02, Electricity Resource Plans  
California Energy Commission  
715 P Street  
Sacramento, CA 95814

**Re: Application of Peninsula Clean Energy Authority for Confidential Designation of Information Contained in its 2025 Electricity Demand Forecast**

Dear Mr. Bohan:

Peninsula Clean Energy Authority (“PCEA”) requests the California Energy Commission (“Commission”) designate information included in PCEA’s 2025 Electricity Resource Plan 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 *Forms and Instructions for Submitting Electricity Resource Plans and Transmission Information*<sup>1</sup> and the *Application for Confidential Designation*<sup>2</sup>, PCEA provides the following information in support of its application for confidentiality designation.

**Contact Information**

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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:

Jeremy Waen  
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<sup>1</sup> *Forms and Instructions for Submitting Electricity Resource Plans and Transmission Information*, Cal. Energy Commission (July 30, 2024), <https://efiling.energy.ca.gov/GetDocument.aspx?tn=258177&DocumentContentId=94146>. (TN #258177)

<sup>2</sup> *Application for Confidential Designation*, Cal. Energy Commission (April 23, 2023), [https://www.energy.ca.gov/sites/default/files/2023-04/CEC\\_13\\_Application%20for%20Confidential\\_04-24-2023.pdf](https://www.energy.ca.gov/sites/default/files/2023-04/CEC_13_Application%20for%20Confidential_04-24-2023.pdf).

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

For docket number 24-IEPR-02, PCEA seeks confidential treatment for the below listed cells of its IEPR 2025 Electricity Resource Plan (“Plan”), which contains information relating to energy demands, procurement, and resources. The Plan also includes details regarding capacity and energy positions, monthly resource adequacy contract values, and short-term energy contract values.

| <b>Cells to be Redacted</b>   | <b>Information Protected in Cell</b>   |
|---|--|
| S-2_SUPPLY<br>Rows 32, Columns Q-Z<br>Rows 56-58, Column Q<br>Rows 91-94, Column F<br>Rows 116, Columns Q-Z<br>Rows 165-188, Columns Q-Z<br>Rows 189-220, Columns AD-AM<br><br>Rows 232, 234, Columns Q-Z<br>Rows 232, 234, Columns AD-AM | <ul style="list-style-type: none"><li>• 2024-2033 Actual Capacity</li><li>• 2024-2033 Actual Capacity</li><li>• Queue Number</li><li>• 2024-2033 Actual Capacity</li><li>• 2024-2033 Actual Capacity</li><li>• 2024-2033 Actual Supply</li></ul> Total: Existing and Planned supply, Net Surplus <ul style="list-style-type: none"><li>• Energy Supply Resources</li><li>• Capacity Supply Resources</li></ul> |
| S-2A_Addendum Monthly<br>Columns G-DV, Rows 68-119  | <ul style="list-style-type: none"><li>• 2024-2033 Contract (GWh) and NQC (MW)</li></ul>  |
| S-5 Table<br><ul style="list-style-type: none"><li>• I10-I34, I74-I45</li></ul>   | <ul style="list-style-type: none"><li>• Capacity (MW) Under Contract</li></ul>   |

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

PCEA requests that the Commission keep PCEA’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 PCEA’s detailed bilateral contract information, supply data, and load forecast information and data, in its Plan remains secure from market participants that could make competitive use of this information to the detriment of PCEA, PCEA’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>3</sup>

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

PCEA seeks confidentiality for these Forms on the following bases:

1. **Public Entity Designation.** PCEA 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 PCEA as confidential under the Public Records Act.

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<sup>3</sup> See 23-IEPR-02 and 21-IEPR-03 (CEC Response Letters to confidentiality applications addressing similar information).

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 the Plan is highly commercially sensitive, not publicly known, and if revealed could cause significant harm to load-serving entities (“LSEs”), like PCEA. 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.

### **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 PCEA’s confidential information to be derived from the aggregated data.

### **The Submitted Information Is Presently Confidential**

PCEA does not publicly disclose its capacity and energy positions, monthly resource adequacy contract values, and short-term energy contract values., which is information required in its 2025 IEPR Electricity Resource Plan. PCEA considers such information market sensitive, as public disclosure of this information could compromise PCEA’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, PCEA is a local government agency, and I am authorized to make the application and certification on behalf of PCEA.

/s/ Jeremy Waen

Jeremy Waen  
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Peninsula Clean Energy Authority  
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