

DOCKETED

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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 Clean Energy Alliance for Confidential Designation of Information
Contained in its 2025 Electricity Demand Forecast**

Dear Mr. Bohan:

Clean Energy Alliance (“CEA”) requests the California Energy Commission (“Commission”) designate information included in CEA’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*¹ and the *Application for Confidential Designation*², CEA provides the following information in support of its application for confidentiality designation.

Contact Information

Applicant Name: Gregory Wade
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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:

Gregory Wade
Chief Executive Officer
Clean Energy Alliance
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¹ *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)

² *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.

Description and Identification of Confidential Information

For docket number 24-IEPR-02, CEA 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 procurement requirements and actual capacity and supply values for 2024-2033.

| Cells to be Redacted | Information Protected in Cell |
|---|---|
| S-1_REQUIREMENT Columns I-R, Rows <ul style="list-style-type: none"> • 11 • 19 • 20 • 21 • 22 • 25 | 2024-2033 <u>Capacity Procurement Requirement (MW)</u> <ul style="list-style-type: none"> • Forecast Total Peak-Hour 1-in-2 Demand • Adjusted Demand: End-Use Customers • Coincidence Adjustment (-) • Coincident Peak-Hour Demand • Required Planning Reserve Margin • Firm LSE Procurement Requirement |
| S-2_SUPPLY Rows 32-171 <ul style="list-style-type: none"> • Columns Q-Z Rows 59-171 <ul style="list-style-type: none"> • Columns AD-AM Rows 178-180 <ul style="list-style-type: none"> • Columns Q-Z, AD-AM | <ul style="list-style-type: none"> • 2024-2033 Actual Capacity for Total Renewable Contract Supply • 2024-2033 Energy Supply Resources for Total Other Bilateral Contract Supply • Total: Existing and Planned Supply • Firm LSE Procurement Requirements • Net Surplus |
| S-2A_Addendum Monthly <ul style="list-style-type: none"> • Columns G-DV, Rows 10-52 | <ul style="list-style-type: none"> • 2024-2033 Contract (GWh) and NQC (MW) |
| S-5 Table <ul style="list-style-type: none"> • Column I | <ul style="list-style-type: none"> • Capacity (MW) Under Contract |

Length of Time the Information Should Be Kept Confidential

CEA requests that the Commission keep CEA’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 CEA’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 CEA, CEA’s ratepayers, and the electricity market as a whole. Further, this length of time is consistent with how the Commission has treated similar information.³

³ See *CEC Response for the Clean Energy Alliance’s Application for Confidentiality filed July 31, 2023*, Cal. Energy Commission (August 10, 2023), <https://efiling.energy.ca.gov/GetDocument.aspx?tn=251584&DocumentContentId=86473> (23-IEPR-02, TN# 251584); 21-IEPR-03 (CEC Response Letters to confidentiality applications addressing similar information).

Provisions of Law Allowing the Commission to Keep the Documentation Confidential

CEA seeks confidentiality for these Forms on the following bases:

1. **Public Entity Designation**. CEA 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 CEA 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 the Plan is highly commercially sensitive, not publicly known, and if revealed could cause significant harm to load-serving entities (“LSEs”), like CEA. 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 CEA’s confidential information to be derived from the aggregated data.

The Submitted Information Is Presently Confidential

CEA does not publicly disclose its capacity and energy procurement requirements and actual capacity and supply values, which is information required in its 2025 IEPR Electricity Resource Plan. CEA considers such information market sensitive, as public disclosure of this information could compromise CEA’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, CEA is a local government agency, and I am authorized to make the application and certification on behalf of CEA.

/s/ Gregory Wade

Gregory Wade
Chief Executive Officer
Clean Energy Alliance
gwade@thecleanenergyalliance.org

