

DOCKETED	
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Via Email

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**Repeated Application for Confidential Designation of Constellation NewEnergy, Inc.
2024 IEPR Electricity Resource Planning Forms**

Docket No. 24-IEPR-02

Dear Andrew B. Brown,

The California Energy Commission (CEC) has received Constellation NewEnergy, Inc's (applicant) repeated application for confidential designation, docketed November 15, 2024 (TN 260092), for the following records:

- Constellation NewEnergy, Inc 2024 IEPR Supply Form - CONFIDENTIAL

The applicant seeks confidentiality of certain portions of the information submitted in the data sets, specifically:

- S-1_REQUIREMENT:
 - Capacity Procurement Requirement (MW), Peak Load Calculations for years 2022-2027, line numbers 1-2e, 4-8, 11.
 - Energy Procurement Requirement (GWh), Energy Demand Calculations for years 2022-2027, line numbers 12-13e, 16, 18.
 - Historic LSE Peak Load for 2022-2023*, line numbers 19, 25.
- S- 2_SUPPLY:
 - Capacity Supply Resources (MW):
 - Total Other Bilateral Contract Supply for years 2022-2027, line number 7a.
 - Other Bilateral_Resource Adequacy Aggregate for years 2022-2027, line number 7c
 - Capacity/Energy Balance Summary (for both Capacity and Energy Supply Resources):
 - Total: Existing and Planned Supply for years 2022-2027, line number 9.

- Firm LSE Procurement Requirement for years 2022-2027, line number 10.
- Net Surplus (or need) for years 2022-2027, line number 11.
- S-5 Table: Other Bilateral_Resource Adequacy Aggregate, Capacity (MW) Under Contract, line number 7c (cell I47 only).

The applicant states that these records were previously determined by CECs executive director to be confidential for a period of three years from November 30, 2022 (TN 247812). The applicant asserts, under penalty of perjury, that the records submitted under this application contain information substantially similar to previously submitted information that was granted confidential designation, and all facts and circumstances relevant to the confidentiality of the information remain unchanged.

California Code of Regulations title 20, section 2505(a)(4) provides:

If an applicant is seeking a confidential designation for information that is substantially similar to information that was previously deemed confidential by the Commission pursuant to section 2508, or for which an application for confidential designation was granted by the Executive Director pursuant to subdivision (a)(3)(A) of this section, the new application need contain only a certification, executed under penalty of perjury, stating that the information submitted is substantially similar to the previously submitted information and that all the facts and circumstances relevant to confidentiality remain unchanged. An application meeting these criteria will be approved.

The applicant has met the requirements for confidential designation of the above information as a repeated application. Confidentiality is granted for a period of three years, under the same terms as those in the grant of confidentiality on November 30, 2022 (TN 247812).

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 confidential records is issued by the CEC's chief counsel. Under California Code of Regulations, title 20, section 2507, the executive director may disclose records, or release records previously designated as confidential, in certain circumstances. The procedures for acting on a petition and criteria for disclosing or releasing records previously designated as confidential are set forth in California Code of Regulations, title 20, sections 2506-2508.

If you have questions, please email confidentialityapplication@energy.ca.gov