

DOCKETED

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CALIFORNIA ENERGY COMMISSION1516 NINTH STREET
SACRAMENTO, CA 95814-5512

June 15, 2015

Mr. Scott Harding, Supervisor
Resource Planning & Acquisition
Imperial Irrigation District
PO Box 937
Imperial, CA 92251

RE: **Imperial Irrigation District's Application for Confidentiality for Resource Plan Forms**
Docket No. 15-IEPR-02 – Electricity Resource Plans

Dear Mr. Harding:

The California Energy Commission (Energy Commission) is in receipt of an Application for Confidentiality dated April 30, 2015, submitted by Imperial Irrigation District (IID, or (Applicant), seeking confidential designation for the following information:

- 1) Specific categories of data, identified in the application, contained within the Electricity Resource Plan Form S-1, Form S-2, and Form S-5

Form S-1, the Capacity Resource Accounting Table, contains information about actual and forecasted peak-hour load serving obligations and capacity purchases for the years 2013-2024. Form S-2, the Energy Balance Accounting Table, contains information about actual and forecasted firm energy requirements on an annual basis, and energy purchases for the years 2013-2024. On Form S-1 and Form S-2, IID is requesting confidentiality for the contract names of two renewable energy contractual resources until final plans for these contractual are approved.

Electricity Planning Form S-5, formatted as Table S-5, lists Bilateral Contracts and Power Purchase Agreements, with 26 categories or attributes of information. For 11 listed bilateral contracts, IID is requesting that information in 6 categories be kept confidential:

- Contract Name,
- Supplier / Seller,
- Start Date,
- Expiration Date,

- Dependable MW Under Contract, and
- Nameplate MW of the Units.

For these 11 contracts, IID requests confidentiality for this information until the expiration date of each contract.

IID requests that this information be designated confidential because:

The disclosure of the contract terms and unapproved technology may undermine IID's ability to procure the most favorable deals, hence leading to higher energy price than the ratepayers would pay for if the information was not publicly released.

A properly filed application for confidentiality shall be granted under the California Code of Regulations, title 20, Section 2505(a)(3)(A), "if the applicant makes a reasonable claim that the California Public Records Act or other provision of law authorizes the [Energy] Commission to keep the record confidential."

IID's confidentiality application makes a reasonable claim to grant confidentiality for the contract names shown on Form S-1 and Form S-2 until final plans for these contracts are released for public approval.

IID's confidentiality application makes a reasonable claim to grant confidentiality for 8 of the 11 contractual resources shown on Form S-5, including all six categories of information designated as commercially sensitive. This information will be kept confidential until contract expiration.

After discussions with staff, IID withdrew its request for confidentiality related to contracts named San Juan 3, Palo Verde, and WAPA/Parker Davis Allotment. This information has been previously disclosed on IID's supply forms provided on previous resource plans in support of earlier Integrated Energy Policy Report proceedings.

Information submitted to the Energy Commission can be deemed confidential without the need for a new application under California Code of Regulations, title 20, sections 2505(a)(1)(G) and 2505(a)(4) if you file a certification under penalty of perjury that the new information is substantially similar to the information previously granted confidentiality.

In such a case, your new application in a future proceeding will serve as your certification and the designation of confidentiality will be under the same terms as the prior designation.

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Be advised that persons may petition to inspect or copy records that I have designated as confidential. The procedures and criteria for filing, reviewing, and acting upon such petitions are set forth in the California Code of Regulations, title 20, section 2506. If you have any questions concerning this matter, please contact Jared Babula, Senior Staff Counsel, at (916) 651-1462.

Sincerely,

A handwritten signature in dark ink, appearing to read 'R. Oglesby', with a long horizontal flourish extending to the right.

Robert P. Oglesby
Executive Director

cc: Docket Unit – 15-IEPR-02 – Electricity Resource Plans
Sylvia Bender
Jim Woodward
Jared Babula