

DOCKETED

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CALIFORNIA ENERGY COMMISSION

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July 02, 2015

Ms. Rebecca Meiers-De Pastino, Attorney
Southern California Edison Company
2244 Walnut Grove Avenue
Rosemead, CA 91770

**RE: Southern California Edison Company's Application for
Confidentiality for the 2015 Integrated Energy Policy Report
Electricity Demand Forecast Submission
Docket - 15-IEPR-03 – Electricity and Natural Gas Demand Forecast**

Dear Ms. Meiers-De Pastino:

On April 15, 2015, the California Energy Commission (Energy Commission) received Southern California Edison Company's (SCE) application for confidentiality in the above-captioned Docket. The application seeks confidentiality for some of the information contained in the Energy Commission's Electricity Demand Forecast forms. SCE's application describes this information explicitly as follows:

- Form 1.1b – Retail Sales of Electricity by Class or Sector Bundled Customers (Gwh) Bundled Customers
 - Residential for the years 2015-2017;
 - Commercial for the years 2015-2017;
 - Industrial for the years 2015-2017;
 - Agricultural for the years 2015-2017;
 - Inter-Company for the years 2015-2017
 - Street-lighting for the years 2015-2017;
 - Public Authorities for the years 2015-2017;
 - Electric Vehicles for the years 2015-2017; and
 - Total for the years 2015-2017.
- Form 1.2 – Distribution Area Net Electricity for Generation Load (GWh)
 - Sales to Bundled Customers for the years 2015 -2017;
 - Direct Access for the years 2015-2017;
 - Community Choice Aggregators for the 2015-2017;
 - Other Departed Load Remaining on Distribution System for the years 2015-2017;
 - Other (Define as needed) for the years 2015-2017;

- Losses for the years 2015-2017;
 - Total Distribution System Energy Requirements for the years 2015-2017; and
 - Forecast Net Uncommitted Impacts for the years 2015-2017.
- Form 1.3 – LSE Coincident Peak Demand by Sector (Bundled Customers) (MW)
 - Total Peak for the years 2014-2017.
- Form 1.4 – Distribution Area Coincident Peak Demand (MW)
 - Bundled Customer Peak for the years 2014-2017;
 - Direct Access (End User Peak Demand and Losses) for the years 2014-2017;
 - Community Choice Aggregators (End User Peak Demand and Losses) for the years 2014-2017;
 - Other Publicly Owned (End User Peak Demand and Losses) for the years 2014-2017;
 - Other (Define) for the years 2014-2017; and
 - Total Peak Demand for the years 2014-2017.
- Form 1.5 – Peak Demand Weather Scenarios, Distribution Area Coincident Peak Demand (MW)
 - 1-in-2 Temperatures for the years 2015-2026;
 - 1-in-5 Temperatures for the years 2015-2026;
 - 1-in-10 Temperatures for the years 2015-2026;
 - 1-in-20 Temperatures for the years 2015-2026; and
 - 1-in-40 Temperatures for the years 2015-2026.
- Form 1.6a – Hourly Loads (MW)
 - Bundled Load for the years 2014-2015;
 - Bundled Losses for the years 2014-2015;
 - Unbundled Load for the years 2014-2015;
 - Unbundled Losses for the years 2014-2015; and
 - Total System Load for the years 2014-2015.

A properly filed application for confidentiality shall be granted under 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 Commission to keep the record confidential." The California Public Records Act allows for the non-disclosure of trade secrets and proprietary information. (Government Code, Sections 6254(k), 6254.7, 6254.15 Evidence Code, Section 1060.) The California courts have traditionally used the following definition of trade secret:

...a trade secret may consist of any formula, pattern, device or compilation of information which is used in one's business, and which gives him an opportunity to obtain an advantage over competitors who do not know or use it. . . .

(*Uribe v. Howe* (1971) 19 Cal. App.3d 194, 207-208, from the Restatement of Torts, Volume 4, Section 757, Comments b, p.5.)

California Code of Regulations, title 20, Section 2505(a)(1)(D) states that if the applicant for confidential designation believes that the record should not be disclosed because it contains trade secrets, or its disclosure would otherwise cause loss of a competitive advantage, the application shall state: 1) the specific nature of the advantage; 2) how the advantage would be lost; 3) the value of the information to the applicant; and 4) the ease or difficulty with which the information could be legitimately acquired or duplicated by others.

As in the case of prior applications from 2009, 2011 and 2013, SCE's confidentiality application does not make a reasonable claim to grant confidentiality for the following information based on the trade secret exemption to the California Public Records Act. (Government Code, Section 6254(k)):

- Form 1.2 – Distribution Area Net Electricity for Generation Load (GWh)
 - Losses for the years 2015-2017;
 - Total Distribution System Energy Requirements for the years 2015-2017; and
 - Forecast Net Uncommitted Impacts for the years 2015-2017.
- Form 1.3 – LSE Coincident Peak Demand by Sector (Bundled Customers) (MW)
 - Total Peak for the years 2014-2017.
- Form 1.4 – Distribution Area Coincident Peak Demand (MW)
 - Bundled Customer Peak for the years 2014-2017;
 - Direct Access (End User Peak Demand and Losses) for the years 2014-2017;
 - Community Choice Aggregators (End User Peak Demand and Losses) for the years 2014-2017;
 - Other Publicly Owned (End User Peak Demand and Losses) for the years 2014-2017;
 - Other (Define) for the years 2014-2017; and
 - Total Peak Demand for the years 2014-2017.

- Form 1.5 – Peak Demand Weather Scenarios, Distribution Area Coincident Peak Demand (MW)
 - 1-in-2 Temperatures for the years 2015-2026.
- Form 1.6a – Hourly Loads by Transmission Planning Subarea or Climate Zone (IOUs Only) (MW)
 - Total System Load for 2014-2015.

The information contained in Form 1.2, Form 1.3, Form 1.4, Form 1.5, and Form 1.6a 2014 and 2015, does not constitute trade secrets, nor does the public interest in non-disclosure of such data outweigh the public interest in its disclosure. This conclusion is supported, in part, by the Energy Commission's Order Denying Southern California Edison Company's Appeal of Executive Director Decision Denying Confidentiality, dated April 13, 2005, and, in part, in the subsequent decision in Superior Court upholding that Order (Case No. 05cs00860).

SCE's confidentiality application does makes a reasonable claim to grant confidentiality for the following information identified in your application based on the trade secret exemption to the California Public Records Act (Government Code, Section 6254(k)):

- Form 1.1b – Retail Sales of Electricity by Class or Sector Bundled Customers (Gwh) Bundled Customers
 - Residential for the years 2015-2017;
 - Commercial for the years 2015-2017;
 - Industrial for the years 2015-2017;
 - Agricultural for the years 2015-2017;
 - Inter-Company for the years 2015-2017
 - Street-lighting for the years 2015-2017;
 - Public Authorities for the years 2015-2017;
 - Electric Vehicles for the years 2015-2017; and
 - Total for the years 2015-2017.
- Form 1.2 – Distribution Area Net Electricity for Generation Load (GWh)
 - Sales to Bundled Customers for the years 2015 -2017;
 - Direct Access for the years 2015-2017;
 - Community Choice Aggregators for the 2015-2017;
 - Other Departed Load Remaining on Distribution System for the years 2015-2017; and
 - Other (Define as needed) for the years 2015-2017.
- Form 1.5 – Peak Demand Weather Scenarios, Distribution Area Coincident

Peak Demand (MW)

- 1-in-5 Temperatures for the years 2015-2026;
 - 1-in-10 Temperatures for the years 2015-2026;
 - 1-in-20 Temperatures for the years 2015-2026; and
 - 1-in-40 Temperatures for the years 2015-2026.
- Form 1.6a – Hourly Loads (MW)
 - Bundled Load for the years 2014-2015;
 - Bundled Losses for the years 2014-2015;
 - Unbundled Load for the years 2014-2015;
 - Unbundled Losses for the years 2014-2015; and

The Energy Commission may publicly disclose confidential data only after aggregating on a statewide basis. The information will remain confidential until December 31, 2017.

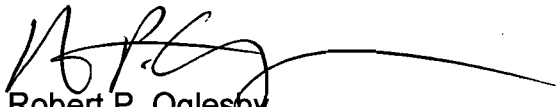
Any subsequent submittals related to this data can be deemed confidential as specified in this letter without the need for a new application under California Code of Regulations, Title 20, Sections 2505(a)(1)(G) and 2505(a)(4), if you file a certification under penalty of perjury that the new information is substantially similar to the information granted confidentiality by this determination.

Persons may petition to inspect or copy the records that I have designated as confidential. The procedures and criteria for filing, reviewing, and acting upon such petitions are set forth in California Code of Regulations, Title 20, Section 2506.

Finally, an appeal of this decision must be filed within 14 days from the date of this decision. The procedures and criteria for appealing any part of this decision are set forth in California Code of Regulations, Title 20, Section 2505.

If you have any questions concerning this matter, please contact Jared Babula, Senior Staff Counsel, at (916) 651-1462.

Sincerely,


Robert P. Oglesby
Executive Director

cc: Docket Unit –15-IEPR-03 – Electricity and Natural Gas Demand Forecast
Sylvia Bender