

DOCKETED

Docket Number:	17-IEPR-03
Project Title:	Electricity and Natural Gas Demand Forecast
TN #:	217095
Document Title:	Constellation NewEnergy Inc. Repeated Application for Confidential Designation
Description:	N/A
Filer:	Eric Janssen
Organization:	Ellison Schneider Harris & Donlan LLP
Submitter Role:	Other Interested Person
Submission Date:	4/17/2017 2:13:28 PM
Docketed Date:	4/17/2017

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April 17, 2017

Robert Oglesby
Executive Director
California Energy Commission
1516 Ninth Street, MS-39
Sacramento, CA 95814-5504

**RE: Repeated Application for Confidential Designation
Constellation NewEnergy, Inc. 2017 IEPR Electricity Demand Forecast
Submission, Docket No. 17-IEPR-03.**

Dear Mr. Oglesby:

Constellation NewEnergy, Inc., (“CNE”) respectfully requests protection of certain information provided to the Commission in its accompanying Electricity Demand Forecast submission.

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 CNE files a certification under penalty of perjury that the new information is substantially similar to the information previously granted confidentiality. By letter dated June 5, 2015 (see Attachment A hereto) you approved CNE’s request for confidential designation for information submitted in CNE’s 2015 IEPR Electricity Demand Forecast submission in docket 15-IEPR-03. In that letter, you encouraged CNE to take advantage of the repeated application process in the future where appropriate.

CNE’s 2017 Electricity Demand Forecast Form 7.1 submission contains information that is substantially similar to its previously submitted 2015 Electricity Demand Forecast Form 7.1 information and all facts and circumstances relevant to the confidentiality of the information remain unchanged.

Specifically, CNE requests that the following information, as also indicated by the yellow pattern cells on the accompanying Excel workbook, worksheet “Form 7.1”, remain confidential through December 31, 2020:

Form	Information to be held confidential
2017 IEPR FORM 7.1: ESP Report of Loads and Resources under Contract	All data (as highlighted), disaggregated by utility distribution area, as follows*: <ol style="list-style-type: none"> a. Historical Retail Sales (MWh) for year 2016 (Cells C13, H13, M13) b. Forecast Retail Sales (MWh) for years 2017-2020 (Cells C14-C17, H14-H17, M14-M17) c. Historical Peak Demand (MW) for year 2016 (Cells D13, I13, N13) d. Forecast Peak Demand (MW) for years 2017-2020 (Cells D14-D17, I14-I17, N14-N17) e. Actual Historical Customer Count (Residential and Nonresidential) for year 2016 (Cells E13-F13, J13-K13, O13-P13) f. Forecast Customer Count (Residential and Nonresidential) for years 2017-2020 (Cells E14-F17, J14-K17, O14-P17)
* CNE was previously granted its request for a three year confidentiality period. As such, 2012-2016 information continues to be confidential through December 31, 2017.	

I certify under penalty of perjury that the information contained in this repeated application for confidential designation is true, correct, and complete to the best of my knowledge. I also certify that I am authorized to make this repeated application and certification on behalf of Constellation NewEnergy, Inc.

Please feel free to contact me at (916) 447-2166 should you or Staff have any questions or require additional information regarding this Repeated Application. Thank you for your consideration of our request.

Sincerely,



Andrew B. Brown
 Ellison Schneider Harris & Donlan LLP
 Attorneys for Constellation NewEnergy, Inc.

Submitted via Confidential e-filing.

ATTACHMENT A

California Energy Commission June 5, 2015 Letter Granting
Constellation NewEnergy, Inc.'s Application For Confidentiality for the
2015 *Integrated Energy Policy Report* Electricity Demand Forecast Submission
(Docket No. 15-IEPR-03)

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512

June 5, 2015

Mr. Andrew B. Brown
Ellison, Schneider & Harris, LLP
Attorney for Constellation NewEnergy, Inc.
2600 Capitol Avenue, Suite 400
Sacramento, CA 95816

RE: **Constellation NewEnergy, Inc.'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 Mr. Brown:

The California Energy Commission is in receipt of an Application for Confidentiality dated April 15, 2015, submitted by Constellation NewEnergy, Inc. (Applicant), seeking confidential designation for the following information:

- 1) IEPR Form 7.1 (ESP)
 - a. Historical Retail Sales (MWh) for year 2014
 - b. Forecast Retail Sales (MWh) for years 2015-2018
 - c. Historical Peak Demand (MW) for year 2014
 - d. Forecast Peak Demand (MW) for years 2015-2018
 - e. Actual Historical Customer Count (Residential and Nonresidential) for year 2014
 - f. Forecast Customer Count (Residential and Nonresidential) for years 2015-2018

Because the information is substantially similar to information previously designated as confidential during the development of prior *Integrated Energy Policy Reports*, this application will be considered a repeated application.

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 this case, your current application will serve as your certification and the designation of confidentiality will be under the same terms as the prior designation. In the future when submitting substantially similar information, you may take advantage of the repeated application process by providing a certification along with the data.

Mr. Andrew B. Brown
June 5, 2015
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The identified confidential information contained in IEPR Form 7.1 (ESP) will be kept confidential until December 31, 2017.

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,



Robert P. Oglesby
Executive Director

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