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Document Title:	LADWP 2019 Confidentiality Records Declaration Form 1.6a
Description:	N/A
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April 15, 2019

Drew Bohan, Executive Director
California Energy Commission
1516 Ninth Street, MS-39
Sacramento, California 95814-5504

Dear Mr. Bohan:

Subject: Repeated Designation of Confidentiality for Data Included by the Los Angeles Department of Water and Power (LADWP) in the Electricity and Natural Gas Demand Forecast Form 1.6a for the 2019 Integrated Energy Policy Report (IEPR)(Docket 19-IEPR-03)

By this letter, LADWP is notifying the California Energy Commission (CEC, also referred to as Commission) that LADWP again designates as confidential the hourly load data it is providing to the CEC in Form 1.6a for an IEPR. For the 2019 IEPR, this includes the hourly load data for years 2017 and 2018 and forecasted year 2019. This confidential hourly load data is highlighted in the enclosed Form 1.6a (Confidential Records). LADWP expects the CEC to designate all the Confidential Records as confidential and to protect them accordingly.

In the 2017 IEPR¹, LADWP submitted certain data in the Electric and Natural Gas Demand Forecast Forms 1.6a, 1.6c, and 1.6d, which data it considered to be confidential. In a letter dated May 3, 2017, from the CEC's Executive Director Robert Oglesby, the CEC granted LADWP's request for confidentiality for certain data in the Electric and Natural Gas Demand Forecast Forms 1.6a, 1.6c and 1.6d (2017 CEC Granting Letter). The 2017 CEC Granting Letter specifically referenced California Code of Regulations (CCR), Title 20, Section 2505(b) to designate the requested information as confidential. Section 2505(b) provides as follows:

¹ Public Resources Code Section 25301 and 20 CCR Section 1345(a).

When another federal, state, regional, or local agency or state-created private entity, such as the California Independent System Operator, possesses information pertinent to the responsibilities of the Commission that has been designated by that agency as confidential under the Public Records Act, or the

Freedom of Information Act, the Commission, the Executive Director, or the Chief Counsel may request, and the agency shall submit the information to the Commission without an application for confidential designation. The Commission shall designate this information confidential. [20 CCR §2505(b)].

As in 2017, LADWP designates the Confidential Records to be provided for the 2019 IEPR as confidential. Additionally, in the 2017 CEC Granting Letter, the CEC agreed that LADWP made a reasonable claim that the data at issue constitutes a trade secret, which would be exempt from public disclosure under Government Code Section 6254(k), which incorporated the terms of Evidence Code section 1060. The Confidential Records are considered by LADWP to be a trade secret, among other reasons for nondisclosure. Furthermore, the 2017 CEC Granting Letter stated that, "For future Integrated Energy Policy Reports, if the Applicant files data with a certification under penalty of perjury that the new information is substantially similar to the information previously granted confidentiality, there is no need for a new application under California Code of Regulations, title 20, sections 2505(a)(1)(G) and (2505(a)(4))."²

For the foregoing reasons, LADWP is hereby submitting this repeated confidentiality designation for the Confidential Records contained in the 2019 IEPR Form 1.6a. The Confidential Records constitute new information that is substantially similar to the information the CEC previously granted confidentiality. The requested certification under penalty of perjury is attached.

In addition, the Confidential Records should be deemed confidential for five years from the date that the data was collected, as previously granted in the 2017 CEC Granting Letter for similar records. 2017 data should be maintained confidential until February 1, 2023. 2018 data should be maintained confidential until February 1, 2024. 2019 data should be maintained confidential until February 1, 2025. It would not be acceptable to aggregate the data on a countywide basis or regional basis. However, aggregation of the data on a statewide basis would be acceptable. Data may be released only if it is aggregated and anonymous, such that the underlying reasons for confidentiality are protected.

² See accompanying letter from the CEC, dated May 3, 2017.


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If there are any questions, or if the CEC disagrees with any aspect of this letter, please contact me at (213) 367-1750 or by email at Pjoy.Chua@ladwp.com.

Sincerely,

 FOR PJOY CHUA

Pjoy T. Chua, P.E.
Manager of Regulatory Compliance
Los Angeles Department of Water and Power
111 North Hope Street, Room 1255
Los Angeles, CA 90012


RDG:dl

Enclosure

c: Simon Zewdu

CERTIFICATION BY LOS ANGELES
DEPARTMENT OF WATER AND POWER (LADWP)

I declare under penalty of perjury under the laws of the State of California that (i) the information submitted by LADWP in Electricity and Natural Gas Demand Forecast Form 1.6a for the 2019 Integrated Energy Policy Report is substantially similar to the certain information in LADWP's Electricity and Natural Gas Demand Forecast Forms 1.6a, 1.6c, and 1.6d for the 2017 Integrated Energy Policy Report that was previously granted confidentiality by the California Energy Commission (CEC) and (ii) all the facts and circumstances relevant to confidentiality of this type of information remain unchanged. I am authorized to make this certification on behalf of LADWP.

By:  FOR PJOY CHUA

Pjoy T. Chua, P.E.

Manager of Regulatory Compliance

Los Angeles Department of Water and Power