

| DOCKETED | |
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| Docket Number: | 19-IEPR-03 |
| Project Title: | Electricity and Natural Gas Demand Forecast |
| TN #: | 228495 |
| Document Title: | Constellation NewEnergy Inc's Form 8.1a Repeated Application for Confidential Designation |
| Description: | N/A |
| Filer: | Eric Janssen |
| Organization: | Ellison Schneider Harris & Donlan LLP |
| Submitter Role: | Intervenor Representative |
| Submission Date: | 6/3/2019 3:47:36 PM |
| Docketed Date: | 6/3/2019 |



Andrew B. Brown
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June 3, 2019

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

**RE: Repeated Application for Confidential Designation
Constellation NewEnergy, Inc. 2019 IEPR Electricity Demand Forecast
Submission, Form 8.1a (ESP), Docket No. 19-IEPR-03.**

Dear Mr. Bohan:

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 23, 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-03.¹ In that letter, you encouraged CNE to take advantage of the repeated application process in the future where appropriate.

CNE’s 2019 Electricity Demand Forecast Form 8.1a (ESP) submission contains information that is substantially similar to its previously submitted 2015 Electricity Demand Forecast Form 8.1a information and all facts and circumstances relevant to the confidentiality of the information remain unchanged.

¹ We understand that our similar request in the 2017 IEPR was also approved, but that approval letter is not accessible in the Docket Log. See Docket Log in 17-IEPR-03 at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=17-IEPR-03>.

Specifically, CNE requests that the following information, as also indicated by the yellow pattern cells on the accompanying Excel workbook, worksheet "Form 8.1a (ESP)", remain confidential through December 31, 2022:

| Form | Information to be held confidential |
|---|--|
| 2019 IEPR FORM 8.1a (ESP): Estimated Power-Supply Costs | a. All data, for annual, actual and/or estimated power-supply costs, for years 2018-2022, cells C9:G10, C12:G12 (cells are highlighted yellow on Form 8.1a (ESP)). |

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 23, 2015 Letter Granting
Constellation NewEnergy, Inc.'s Application For Confidentiality for the
2015 *Integrated Energy Policy Report* Electricity Demand Forecast Submission - Form 8.1a
(Docket No. 15-IEPR-03)

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|-------------------------|---|
| Docket Number: | 15-IEPR-03 |
| Project Title: | Electricity and Natural Gas Demand Forecast |
| TN #: | 205109 |
| Document Title: | Response to Constellation NewEnergy, Inc.'s Application for Confidentiality |
| Description: | N/A |
| Filer: | Liza Lopez |
| Organization: | California Energy Commission |
| Submitter Role: | Commission Staff |
| Submission Date: | 6/23/2015 9:18:41 AM |
| Docketed Date: | 6/23/2015 |

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



June 23, 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 – Form 8.1a
Docket - 15-IEPR-03 - Electricity and Natural Gas Demand Forecast**

Dear Mr. Brown:

The California Energy Commission (Energy Commission) is in receipt of an Application for Confidentiality dated May 28, 2015, submitted by Constellation NewEnergy, Inc. (Applicant), seeking confidential designation for the following information:

- Form 8.1a (ESP) – Estimated Power Supply Costs
 - All data, for annual, actual and/or estimated power-supply costs, for years 201-2019, cells C6:H7, C9:H9

Because the information is substantially similar to information previously designated as confidential during the development of prior *Integrated Energy Policy Reports (IEPR)*, 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. Brown
June 23, 2015
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The identified confidential information contained in *IEPR* Form 8.1a (ESP) will be kept confidential until December 31, 2018.

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 black ink, appearing to read "Rob Oglesby", with a long horizontal flourish extending to the right.

Robert P. Oglesby
Executive Director

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