



October 31, 2019

Mr. Andrew B. Brown
Ellison Schneider Harris & Donlan LLP
2600 Capitol Avenue, Suite 400
Sacramento, CA 95816

**Application for Confidential Designation for Power Source Disclosure
Annual Report, Docket No. 19-PSDP-01**

Dear Mr. Brown:

The Energy Commission is in receipt of Agera Energy LLC's (Applicant) Application for Confidentiality for specified data contained in the 2018 Power Source Disclosure Annual Report. Specifically, the Applicant seeks confidentiality for the following data:

- 1) PSD Schedule 1 - Unspecified purchases data in cells N16, P16; Total Net Purchases in cell O18; Total Retail Sales in cell O21.
- 2) PSD Schedule 2 - Unspecified Power: Net Purchases in cell C26; Total Net Purchases in cell C28; Total Retail Sales in cell C30.

The application notes that the data contains trade secrets or otherwise commercially sensitive data, the disclosure of which would cause loss of a competitive advantage. As an entity operating in the competitive and dynamic retail energy markets, as well as a net purchaser in the competitive wholesale markets, the Applicant states that it holds information on its retail and wholesale market positions in confidence. The Applicant states information can be used to directly or indirectly determine market position to the detriment of the Applicant and its customers.

The application states that confidential information contained in the annual report may be disclosed if it is aggregated with the same type of data reported by other energy service providers.

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