

DOCKETED	
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Document Title:	Shell Energy Application for Confidential Designation of Power Source Disclosure Annual Report
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Filer:	Heather Karlstad
Organization:	Dentons US LLP
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**APPLICATION FOR CONFIDENTIAL DESIGNATION
(Title 20 Cal. Code. Regs., § 2505 et seq.)**

CEC-13 (Revised 03/17)

CALIFORNIA ENERGY COMMISSION

All confidential filings: Individual documents may not exceed 30 MB¹ or be password protected.² The application must be a separate document from the confidential materials. The application itself is not confidential and is a public record. The application will be reviewed and acted upon by the Executive Director in consultation with the Chief Counsel of the Energy Commission. (§ 2505, subd. (a))

If you have questions, contact the Docket Unit at (916) 654-5076 or email: docket@energy.ca.gov.

Existing proceedings: Applications for confidentiality and the confidential documents must be uploaded directly to the Docket Unit through the e-filing system. Paper copies or CDs do not need to be submitted. Links to the e-filing system are provided on most proceeding webpages labeled “**Submit e-filing.**” Alternatively, go to: <http://www.energy.ca.gov/e-filing/index.html>. Registration is necessary the first time documents are uploaded. Once registration is complete, to submit a confidential filing click on **Quick Actions** from the **DASHBOARD** and select **Submit Confidential e-filing** from the dropdown list. The application must be uploaded first followed by one or more confidential files.

Filings not associated with any proceeding: Applications for confidentiality and the confidential materials must be submitted directly to the **Docket Unit** in paper form or on a CD, but not by email. Two copies must be submitted, on separate media if electronic, each marked with a descriptive title and “Confidential.” (§ 1208.1)

TO: Energy Commission Docket Unit

Applicant:

Address:

Phone and E-mail:

Proceeding or Project Name:

Docket Number:

1(a). Title, date, and description (including number of pages) of the information or data for which you request confidential designation. **Information or data seeking a designation of confidentiality must be included with this application.**

1(b). Specify the part(s) of the information or data for which you request confidential designation.

¹ Contact the Docket Unit if you cannot reduce the size of your file.

² If you wish to protect the files while in transit, you may combine them in a password-protected .zip file..



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2. State and justify the length of time the Energy Commission should keep the information or data confidential.

3(a). State the provision(s) of the Public Records Act (Gov. Code, § 6250 et seq.) or other law that allows the Energy Commission to keep the information or data confidential, and explain why the provision(s) apply to that material.

3(b). Discuss the public interest in nondisclosure of the material submitted for a confidential designation. If the material contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, please state how it would be lost, the value of the information to the applicant and the ease or difficulty with which the information could be legitimately acquired or duplicated by others.

4. State whether the information or data can be disclosed if it is aggregated with other information or masked to conceal certain portions (including but not limited to the identity of the applicant). State the degree of aggregation or masking required. If the data cannot be disclosed even if aggregated or masked, explain why.

5. State how the material is kept confidential by the applicant and whether it has even been disclosed to a person other than an employee of the applicant. If it has, explain the circumstances under which disclosure occurred.

I certify under penalty of perjury under the laws of the State of California that the information contained in this application for confidential designation is true, correct, and complete to the best of my knowledge and that I am authorized to make the application and certification on behalf of the applicant.

Dated: _____

Signed: _____



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CALIFORNIA ENERGY COMMISSION

Name (print or type): _____

Title: (print or type) _____

Representing: _____

Include additional signature blocks if there are multiple partners in the project with shared responsibilities for making the request.

ATTACHMENT 1(b)

The information for which Shell Energy seeks confidential treatment is as follows:

A. Schedule 1: “Procurements and Retail Sales.”

Applicant’s Schedule 1 contains the following confidential information:

1. Lines 7-15, Column N (Retail sales; Net Specified Procurement; Unspecified Power; Procurement to be Adjusted; Net specified natural gas; Net specified coal and other fossil fuels power; GHG emissions; and GHG emissions intensity).

2. Lines 18-105, 108-114, and 117-122, Columns H-N (Gross MWh procured; MWh Resold; Net MWh Procured; Adjusted Net MWh Procured; GHG Emissions Factor; GHG Emissions; Eligible for Grandfathered Emissions).

B. Schedule 2: “Retired Unbundled RECs.”

Applicant’s Schedule 2 contains the following confidential information:

1. Line 9, Column E (Total Retired Unbundled RECs).

2. Lines 12-34, Column E (Total Retired (in MWh)).

C. Schedule 3: “Power Content Label Data.”

Applicant’s Schedule 3 contains the following confidential information:

1. Lines 13-25, Columns B-C (Adjusted Net Procured (MWh); Percent of Total Retail Sales).

2. Line 27, Column C (Total Retail Sales).

3. Line 29, Column C (GHG Emissions Intensity).

4. Line 31, Column C (Percentage of Retail Sales Covered by Retired Unbundled RECs).

ATTACHMENT 2

A confidentiality period of one (1) year prevents the disclosure of Shell Energy's most recent annual procurement, retail sales, Net Specified Procurement, Unspecified Power, GHG emissions and GHG emissions intensity information. This one (1) year confidentiality period for "historical" information is consistent with the CPUC's confidentiality rules under D.06-06-066.

ATTACHMENT 3(a)

Applicant requests a confidential designation for the information identified in Attachment 1(b) because this information constitutes proprietary trade secret information under Government Code section 6254.15. If disclosed publicly, this information would reveal confidential market share, specified procurement sources, and RPS and GHG emission reduction compliance strategy.

ATTACHMENT 3(b)

Public disclosure of this information could competitively harm Applicant because the information reflects Applicant's total historical retail load in the service territories of the California investor-owned electric utilities for the year 2020. Public disclosure of this information would reveal Applicant's net short position in the immediate past annual period, including its RPS net short position, thereby placing Applicant at a competitive disadvantage in the wholesale and retail electricity markets. A confidentiality period of one (1) year prevents the disclosure of Shell Energy's most recent annual procurement, retail sales, GHG emissions and GHG emissions intensity information. This one (1) year confidentiality period for "historical" information is consistent with the CPUC's confidentiality rules under D.06-06-066.

ATTACHMENT 4

The confidential information submitted by Applicant in the attached PSDP Schedules may be released to the public if first aggregated with the data and information submitted by other load-serving entities (“LSEs”), as follows:

Information about historical retail load, purchases, GHG emissions, and GHG emissions intensity should be aggregated with the historical retail load, purchases, GHG emissions, and GHG emissions intensity information of all electric service providers (“ESPs”).

ATTACHMENT 5

Applicant maintains its historical retail load, procurement quantities, GHG emissions, and GHG emissions intensity information on a confidential basis by restricting access to this information to Shell Energy employees and agents who agree to maintain the information on a confidential basis. The confidential information has not been revealed to any individuals other than Shell Energy employees, attorneys for Shell Energy, and applicable regulatory agencies (such as the CPUC) that have required disclosure, subject to confidentiality protections.