

**DOCKETED**

<b>Docket Number:</b>	21-IEPR-02
<b>Project Title:</b>	Electricity Resource Plans
<b>TN #:</b>	239776
<b>Document Title:</b>	Constellation NewEnergy, Inc Repeated Application Confidential Designation
<b>Description:</b>	N/A
<b>Filer:</b>	Eric Janssen
<b>Organization:</b>	Ellison Schneider Harris & Donlan LLP
<b>Submitter Role:</b>	Applicant Representative
<b>Submission Date:</b>	9/17/2021 2:41:03 PM
<b>Docketed Date:</b>	9/17/2021



Andrew B. Brown  
abb@eslawfirm.com

September 17, 2021

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. 2021 IEPR Electricity Resource / Supply Plans  
Submission, Docket No. 21-IEPR-02.**

Dear Mr. Bohan:

Constellation NewEnergy, Inc., (“CNE”) herewith submits its 2021 IEPR Electricity Resource / Supply Plan. CNE respectfully requests protection of certain information provided to the Commission in its accompanying Electricity Resource / Supply Plan 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 email dated June 5, 2019 (see Attachment A hereto) the Commission granted CNE’s request for confidential designation for information submitted in CNE’s 2019 IEPR Electricity Resource Plan Forms submission in docket 19-IEPR-02.

CNE’s 2021 Electricity Resource Planning Forms submission contains information that is substantially similar to its previously submitted 2019 Electricity Resource / Supply Plans submission and all facts and circumstances relevant to the confidentiality of today’s submission’s information remain unchanged.

Specifically, CNE requests that the following information, as also indicated by the yellow pattern cells on the accompanying Excel workbook, worksheets “S-1\_Requirement”, “S-2\_Supply” and “S-5 Table” remain confidential through December 31, 2024:

Form	Information to be held confidential
2021 IEPR Electricity Resource Planning Form CEC Form S-1” Capacity/Energy Requirement Form	<ul style="list-style-type: none"> <li>Capacity Procurement Requirement (MW), Peak Load Calculations for years 2019*, 2020 through 2024, line numbers 1-2e, 4-8, 11;</li> <li>Energy Procurement Requirement (GWh), Energy Demand Calculations for years 2019*, 2020 through 2024, line numbers 12-13e, 16, 18;</li> <li>Historic LSE Peak Load for 2019, 2020, line numbers 19, 25.</li> </ul>
2021 IEPR Electricity Resource Planning Form CEC Form S-2: Capacity/Energy Supply Resources Form	<p>Capacity Supply Resources (MW):</p> <ul style="list-style-type: none"> <li>Total Other Bilateral Contract Supply for years 2019*, 2020 through 2024, line number 7a;</li> <li>Other Bilateral Resource Adequacy Aggregate for years 2019*, 2020 through 2024, line number 7c;</li> </ul> <p>Energy Supply Resources (GWh):</p> <ul style="list-style-type: none"> <li>Short-Term and Spot Market Purchases (and Sales) for years 2019*, 2020 through 2024, line number 8;</li> </ul> <p>Capacity/Energy Balance Summary (for both Capacity and Energy Supply Resources):</p> <ul style="list-style-type: none"> <li>Total: Existing and Planned Supply for years 2019*, 2020 through 2024, line number 9;</li> <li>Firm LSE Procurement Requirement for years 2019*, 2020 through 2024, line number 10;</li> <li>Net Surplus (or Need) for years 2019*, 2020 through 2024, line number 11.</li> </ul>
2021 IEPR Electricity Resource Planning Form CEC Form S-5: Bilateral Contracts Table	<ul style="list-style-type: none"> <li>Other Bilateral Resource Adequacy Aggregate, line number 7c (cell K35 only).</li> </ul>
<p>* As noted above, CNE was previously granted its request for a one-year back and three-years forward confidentiality period in the last IEPR cycle. As such, 2019 information continues to be confidential through December 31, 2022, and is accordingly included here. CNE is also patterning this confidentiality request to be consistent with confidentiality granted by other agencies, including the California Public Utilities Commission, in an effort to harmonize confidentiality of reported information.</p>	

///

///

Executive Director Bohan  
California Energy Commission  
September 17, 2021  
Page 3

*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, 2019 Email Granting Constellation NewEnergy, Inc.'s Application For Confidentiality for the 2019 *Integrated Energy Policy Report* Energy Resource/ Supply Forms Submission (Docket No. 19-IEPR-02)

**Eric Janssen**

---

**From:** eFiling@energy.ca.gov  
**Sent:** Wednesday, June 5, 2019 9:30 AM  
**To:** Eric Janssen  
**Subject:** Your 1 confidential document(s) approved



Dear Eric Janssen,

The following 1 confidential document(s) submitted to Docket Number **19-IEPR-02**, have completed confidentiality review and have been granted confidential status and docketed by the California Energy Commission:

- Title: **Constellation NewEnergy Inc.'s Supply Forms - CONFIDENTIAL VERSION**  
Document Type: Document

Thank you.  
06/05/2019 09:29:58.219

For e-filing help or questions, send an e-mail to [e-FilingHelp@energy.ca.gov](mailto:e-FilingHelp@energy.ca.gov), or call 916-654-5076.

**This is an automated e-mail message. Replies to this message will not be read or replied to. Instead e-mail [this address](#) with your questions or comments.**



**CALIFORNIA  
ENERGY COMMISSION**



**Privacy Policy** | To unsubscribe, forward this message to [docket@energy.ca.gov](mailto:docket@energy.ca.gov) with a request to be removed from this e-mail list