



APPLICATION FOR CONFIDENTIAL DESIGNATION (Title 20 Cal. Code. Regs., § 2505 et seq.)

CEC-13 (Revised 11/2021)

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: https://efiling.energy.ca.gov/Login.aspx?perms_1&returnurl=http%3A//efiling.energy.ca.gov/EFiling/EfileSelect/Proceeding.aspx. 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: Shell Energy North America (US), L.P. D/B/A Shell Energy Solutions

Address: 4445 Eastgate Mall, Suite 100, San Diego CA 92121

Phone and E-mail: (858) 526 - 2106

Proceeding or Project Name: Power Source Disclosure Annual Report

Docket Number: 22-PSDP-01

- 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.**

Amended 2021 Power Source Disclosure Annual Report of Shell Energy North America (US), L.P. D/B/A Shell Energy Solutions (Version May 2022). Procurement, retired and retail sales data to be maintained confidentially as detailed in 1(b) below.

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

PSD Schedule 1: Lines 7-14, Column N and Lines 18-89, 92-128 and 131-169 (H-N) (MWh procured, GHG emissions data). PSD Schedule 2: Lines 9, 12-47 Column E (total retired unbundled RECs); PSD Schedule 3: Lines 13-25, Column B (Adjusted Net Procured MWh); Line 27, Column C (total retail sales)

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.

Shell Energy requests a confidentiality period through the year of filing, December 31, 2022, consistent with prior confidentiality designations by the CEC and with CPUC Decisions 06-06-066, as modified by D.08-04-023 and D.21-11-029.

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.

The subject data is commercially sensitive information that is subject to protection from public disclosure pursuant to Govt. Code section 6254.7(d), and the CEC's regulations provide for such information to be kept confidential upon request pursuant to 20 CCR section 2505(a)(1)(D).

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.

Public disclosure of this information could competitively harm Shell Energy because the disclosure of its historical retail sales data could be used, together with procurement data applicant is required to disclose to the CPUC, to directly or indirectly derive Shell Energy's net short position, thereby placing Shell Energy at a competitive disadvantage in the wholesale and retail electricity markets and harming customers, with no offsetting public interest benefit from disclosure of this information. Such disclosure, whether direct or indirect, could increase Shell Energy's power procurement costs and the costs paid by its customers.

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.

If the subject data is aggregated with the same type of data reported to the CEC by other ESPs, it could be publicly disclosed without risk of material harm to applicant or its customers.

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.

Shell Energy restricts access to the subject information to Shell Energy employees and agents who agree to maintain the information on a confidential basis. Shell Energy has not revealed the confidential information to any individuals other than Shell Energy employees, attorneys for Shell Energy, and applicable regulatory agencies (e.g., the CPUC) that have required disclosure, subject to confidentiality protections.

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: 7/19/22

Signed: *MANHILNER*



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CALIFORNIA ENERGY COMMISSION

Name (print or type): Marcie Milner

Title: (print or type) Vice President, Regulatory Affairs

Representing: Shell Energy North America (US), L.P. DBA Shell Energy Solutions

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