

DOCKETED

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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: Peninsula Clean Energy Authority ("PCEA")

Address: 2075 Woodside Road, Redwood City CA 94061

Phone and E-mail: 1-866-966-0110, compliance@peninsulacleanenergy.com

Proceeding or Project Name: Electricity Forecast

Docket Number: 22-IEPR-03

- 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.**

Electricity Resource Planning Forms S-1: Columns I-R, Lines 1, 5 - 9, 11; S-2: Columns P-Y, Lines 6a, 6d-2, 6d-3, 6d-6, 6d-7, 7a, 7c - 7e-77, 9 - 13; Columns AC - AL, Rows 7a, 7e-78 - 7e-110, 9, 11, 13; S2-A: Columns F - DU, Rows 52 - 177; S-5: Column I, Rows 6c, 6d-1 through 6d-8, 7c through 7e-77

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

See 1(a).

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.

PCEA requests that data be kept confidential for 3 years, consistent with the length of time previously approved (TN# 240128, 21-IEPR-02).

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.

California Code of Regulations, title 20, section 2505(a)(4) (substantially the same as previous application TN# 239796; approved in TN# 240128); 2505(b) (public entity designation); Cal. Govt. Code § 6254 (k); Cal. Evid. Code § 1060; Cal. Govt. Code § 6255(a).

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.

The information submitted is substantially similar to information included in PCEA's 2021 Electricity Resource Plan (S-1, S-2 and S-5) submission. All the facts and circumstances relevant to confidentiality remain unchanged. (California Code of Regulations, title 20, Section 2505(a)(4).) PCEA also asserts confidentiality under Section 2505(b) as a local agency which possesses information pertinent to the responsibilities of the CEC, that has been designated by PCEA as confidential under the Public Records Act. Finally, the confidential records contain highly market sensitive and trade secret information. If publicly disclosed, the information would undermine PCEA's negotiating position and disrupt functioning energy and capacity markets. Conversely, there is little public interest in disclosure of PCEA's specific, non-aggregated data. (Gov. Code 6255(a).)

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.

The data in question can be disclosed if it is aggregated with other LSE's forecast and supply information at a level that does not permit PCEA's confidential information to be derived from the aggregated data.

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.

PCEA does not publicly disclose detailed load forecast data or detailed capacity and energy market positions. PCEA only provides this information as requested or required by regulatory agencies and in doing so seeks confidential protection of such information.

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: September 9, 2022

Signed: Janis C. Pepper



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CEC-13 (Revised 03/17)

CALIFORNIA ENERGY COMMISSION

Name (print or type): Janis C. Pepper

Title: (print or type) Chief Executive Officer

Representing: Peninsula Clean Energy Authority

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