

DOCKETED

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Project Title:	Electricity Forecast
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Document Title:	LADWP Confidentiality Designation-IEPR 2022-Transmission Related Data
Description:	LADWP Confidentiality Designation-IEPR 2022-Transmission Related Data
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October 21, 2022

CONFIDENTIAL

Mr. Drew Bohan, Executive Director
California Energy Commission
1516 Ninth Street, MS-39
Sacramento, California 95814-5504

Dear Mr. Bohan:

Subject: Application for Confidentiality Designation of Certain Information Included in the Electric Transmission-Related Data Collection (Docket 22-IEPR-03) Submittal to the California Energy Commission (CEC or Commission) for the 2022 Integrated Energy Policy Report (IEPR)

The Los Angeles Department of Water and Power (LADWP or Applicant) requests that the CEC designate as confidential specific information, identified in this application, contained within the LADWP 2022 IEPR Electric Transmission Related Data Collection Report (Report).

Applicant Name, Address, and Contact Information:

Simon Zewdu
Director of Power Transmission Planning, Regulatory, and Innovation Division
111 North Hope Street, Room 819
Los Angeles, CA 90012
Office: (213) 367 - 2525
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Proceeding Information:

2022 Integrated Energy Policy Report (IEPR) Proceeding
Electric Transmission-Related Data Collection
Docket No. 22-IEPR-03

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

Title:	Final LADWP 2022 Integrated Energy Policy Report – Transmission-Related Data Collection Report
Date:	October 21, 2022
File Type and Size:	PDF / FILE SIZE
Pages:	3 through 10

All confidential information is provided in the enclosed Report, and is highlighted in yellow on the electronic file.

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

Confidentiality is being requested for any and all information regarding transmission network information, including, facility ratings, and transfer capabilities of segments, or paths, whether existing or planned to meet future delivery obligations. The information is summarized in the table below.

Document Title: Final LADWP 2022 Integrated Energy Policy Report – Transmission-Related Data Collection Report (electronic file)*

Page	Section	Description	Confidentiality Period
3	<u>Section 1.2</u> Upgrade McCullough-Victorville Series Compensation	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
3	<u>Section 1.2</u> Upgrade Circuit Breakers at Victorville 500 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
5	<u>Section 1.2</u> Upgrade McCullough–Victorville 500 kV Transmission Lines 1 and 2	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
6	<u>Section 2.0</u> Eldorado 500 kV to McCullough 500 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
6	<u>Section 2.0</u> Gonder 230 kV to Intermountain AC Switchyard 345 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely

Page	Section	Description	Confidentiality Period
6	<u>Section 2.0</u> Mona 345 kV to Intermountain AC Switchyard 345 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
6	<u>Section 2.0</u> Lugo 500kV to Victorville 500 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
6	<u>Section 2.0</u> Mead 500kV to Marketplace 500 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
6	<u>Section 2.0</u> Mead 230kV to McCullough 230 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
7	<u>Section 2.0</u> Navajo 500 kV to Crystal 500 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
7	<u>Section 2.0</u> North West of River (NWOR)	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
7	<u>Section 2.0</u> Nevada Oregon Border (NOB) to Sylmar Switching Station	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
8	<u>Section 3.0</u> IPP to Adelanto Switching Station	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
8	<u>Section 3.0</u> Marketplace 500 kV to Adelanto 500 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
8	<u>Section 3.0</u> Victorville 500 kV to Adelanto 500 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
8	<u>Section 3.0</u> LA System to Airway 230 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
8	<u>Section 3.0</u> LA System to Sylmar 230 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
8, 9	<u>Section 3.0</u> Sylmar 230 kV to LA System	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely

Page	Section	Description	Confidentiality Period
9	<u>Section 3.0</u> Victorville/Adelanto to Los Angeles Projects	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
9, 10	<u>Section 3.0</u> LA System to Toluca 230 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
10	<u>Section 3.0</u> Marketplace 500 kV to McCullough 500 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely
10	<u>Section 3.0</u> McCullough 230 kV to McCullough 500 kV	Transmission Facility Ratings and Total Transfer Capabilities	Indefinitely

*Confidential information is highlighted yellow in the Report.

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

Applicant’s confidential data relates to, among other things, the transmission and transportation of energy, which constitutes “critical energy/electric infrastructure information.” 18 C.F.R. §§ 388.113(c); 18 C.F.R. § 388.112; 6 U.S.C. §§ 131, 133. Data regarding critical energy infrastructure information is deemed confidential and exempted from disclosure pursuant to Government Code Sections 6254(k) and 6254(aa). The Federal Energy Regulatory Commission (FERC) treats this data as non-public information. Furthermore, LADWP owns, operates, or controls facilities used for the transmission of electric energy in interstate commerce, as well as conducts transmission transactions with an affiliate that engages in marketing functions. Under 18 C.F.R. § 358, as most recently modified by FERC Order No. 717, federal regulations prohibit employees engaged in the transmission functions from disclosing non-public transmission functions information to marketing function employees. Federal regulations require that electric systems be operated in a manner that does not impede fair market competition related to the sales of energy. To protect Critical Energy Infrastructure (CEII) and prevent market advantage to any particular developer or transaction counterparty, any and all information pertaining to transmission network information, including any facility ratings and transfer capabilities of segments, or paths, whether existing or planned to meet future delivery obligations must remain confidential indefinitely.

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.

In addition to California Government Code Sections 6254(e) (information related to plant production and utility systems development); 6254(k) (records exempted from disclosure pursuant to federal or state law, including the California Evidence Code); 6254(aa) (documents that assess vulnerability to terrorist attack or other criminal acts intended to disrupt operations); and 6255 (public interest), California Code of Regulations, Title 20 section 2505(b) states, "When another federal, state, regional, or local agency or state-created private entity, such as the California Independent System Operator, possesses information pertinent to the responsibilities of the Commission that has been designated by that agency as confidential under the Public Records Act, or the Freedom of Information Act, the Commission, the Executive Director, or the Chief Counsel may request, and the agency shall submit the information to the Commission without an application for confidential designation. The Commission shall designate this information confidential".

In accordance with the foregoing authority, LADWP has designated the highlighted data in the enclosed Report as confidential for the reasons identified below and submits such data to the CEC with the expectation that the CEC shall designate it as confidential, as well, and protect it accordingly.

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 specific records indicated above to be withheld from public disclosure are exempt under provisions of the California Government Code Sections 6250, et seq. and California Code of Regulations, Title 20 section 2505(b). The confidential information includes critical energy/electric infrastructure information and trade secrets.

Applicant's confidential data relates to, among other things, the transmission and transportation of energy, which constitutes "critical energy/electric infrastructure information." 18 C.F.R. §§ 388.113(c); 18 C.F.R. § 388.112; 6 U.S.C. §§ 131, 133. Data regarding critical energy infrastructure information is deemed confidential and exempted from disclosure pursuant to Government Code Sections 6254(k) and 6254(aa). The Federal Energy Regulatory Commission (FERC) treats this data as non-public information. Furthermore, LADWP owns, operates, or controls facilities used for the transmission of electric energy in

interstate commerce, as well as conducts transmission transactions with an affiliate that engages in marketing functions. Under 18 C.F.R. § 358, as most recently modified by FERC Order No. 717, federal regulations prohibit employees engaged in the transmission functions from disclosing non-public transmission functions information to marketing function employees.

The enclosed Report identified specific information regarding transmission network information, including any facility ratings and transfer capabilities segments, or paths, whether existing or planned to meet future delivery obligations. The information is considered a trade secret as defined in the California Evidence Code. The disclosure of such information will negatively impact Los Angeles Department of Water and Power's ability to effectively and competitively negotiate renewable contracts, to protect proprietary information, and ultimately ratepayer interests. That is, disclosure will negatively impact LADWP ratepayers.

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.

It would not be acceptable to aggregate the data on a countywide basis or regional basis. However, aggregation of the data on a statewide basis would be acceptable. Lower levels of aggregation will allow market participants to ascertain information regarding to transmission network information, including any facility ratings and transfer capabilities of segments, or paths, whether existing or planned to meet future delivery obligations. Data may be released only if it is aggregated and anonymous such that the underlying reasons for confidentiality are protected. The disclosure of such information will negatively impact Los Angeles Department of Water and Power's ability to effectively and competitively negotiate renewable contracts, to protect proprietary information, and ratepayer interests and can increase risk of reliability to the power system as it may be useful to a person planning an attack on critical infrastructure.

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.

The items mentioned above have not been disclosed to any person not an employee or consultant of the Applicant. Such information has been marked as confidential internally and governed by the Applicant's internal policy on confidential information.

Mr. Drew Bohan
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I certify under penalty of perjury 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 Los Angeles Department of Water and Power.

Sincerely,



Original Signed By: Simon Zewdu
Director of Power Transmission Planning, Regulatory, and Innovation Division

RDG

Enclosures

c/enc: Pjoy T. Chua
Scott Hirashima
Denis Obiang
Jonathon Flores
Rockeish Mckenzie
Jordi Burbano
Ramon D. Gamez