

**DOCKETED**

<b>Docket Number:</b>	22-IEPR-03
<b>Project Title:</b>	Electricity Forecast
<b>TN #:</b>	247290
<b>Document Title:</b>	CEC Response Letter to SMUD's Application for Confidentiality - 9-8-22
<b>Description:</b>	N/A
<b>Filer:</b>	Patty Paul
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	11/4/2022 11:40:28 AM
<b>Docketed Date:</b>	11/4/2022



November 4, 2022

**Via Email**

Andrew Meditz  
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**Application for Confidential Designation for Data in Integrated Energy  
Policy Report  
Docket No.: 22-IEPR-03**

Dear Andrew Meditz:

The California Energy Commission (CEC) has received the Sacramento Municipal Utility District's (applicant) Application for Confidentiality docketed September 8, 2022 (TN 245912), covering the following data:

**Form S-2** (Capacity/Electricity Supply Resources Form)

Highlighted content in Columns C through AL in Rows 6h, 6l, 6n, and 6o

**Form S-5** (Bilateral Contracts Table)

Highlighted content in Columns C through M in Rows 6h, 6l, 6n, and 6o

The applicant states that such data should be designated confidential by the CEC under California Code of Regulations, title 20, section 2505(a)(4) and (b), and the data should be confidential for two years from the contract expiration dates listed in column H of form S-5, and asserts that by nature, the data cannot be aggregated.

Under section 2505(b) the CEC shall designate the requested information confidential when the applicant seeks confidentiality as a federal, state, regional, or local agency or state-created private entity, which possesses information pertinent to the responsibilities of the CEC, that has been designated by applicant as confidential under the Public Records Act or the Freedom of Information Act.

Here, the applicant, SMUD, is a local agency and has designated that the data is confidential under the Public Records Act.

Therefore, the CEC designates the above-described information as confidential for the requested term of two years after the expiration date of each contract in column H of form S-5. Data may be disclosed if aggregated with data from other load-serving entities.

Be advised that under the California Code of Regulations, title 20, section 2506, one may petition to inspect or copy records that the CEC has designated as confidential. A decision on a petition to inspect or copy records is issued by the CEC's chief counsel. Under California Code of Regulations, title 20, section 2507, the executive director may disclose, or release records previously designated as confidential in certain circumstances, and the CEC may hold a hearing to determine the confidentiality of its records on its own motion or on a motion by CEC staff. The procedures and criteria for disclosing or releasing, filing, reviewing, and acting upon such petitions or motions are set forth in the California Code of Regulations, title 20, sections 2506-2508.

If you have any questions, please contact Tanner Kelsey, staff counsel at [tanner.kelsey@energy.ca.gov](mailto:tanner.kelsey@energy.ca.gov).

Sincerely,



Drew Bohan  
Executive Director