

DOCKETED

Docket Number:	22-IEPR-03
Project Title:	Electricity Forecast
TN #:	247807
Document Title:	CEC Response Letter to San Jose Clean Energy's Application for Confidentiality - 9-9-22
Description:	N/A
Filer:	Patty Paul
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	11/30/2022 11:11:30 AM
Docketed Date:	11/30/2022



November 30, 2022

Via Email

Taylor Knecht
City of San Jose
Administrator of San Jose Clean Energy
200 East Santa Clara Street, 14th Floor
San Jose, California 95113
Taylor.Knecht@sanjoseca.gov

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

Dear Taylor Knecht:

The California Energy Commission (CEC) has received San Jose Clean Energy's (applicant) Application for Confidentiality docketed September 9, 2022, (TN 245940) covering the following data:

- Form S-2 - 2022 IEPR Capacity/Energy Supply Resources – cells P10:Y10, AC10:AL10, P14:Y19, AC14:AL19, P21:Y21, P23:Y87, AC21:AL21, AC23:AL87, P90:Y90, AC90:AL90, P94:Y94, AC94:AL94, P102:Y208, AC102:AL208, P210:Y222, AC210:AL222, P224:Y340, 2 AC224:AL340, P342:Y342, AC342:AL342, P344:Y344, AC344:AL344, P347:Y349, AC347:AL349
- Form S-2A – Addendum Monthly Capacity and Energy Data – cells F10:DU119
- Form S-5 - Bilateral Contacts Table – cells I9:I157

The applicant states that such data is commercially sensitive trade secrets and should be designated confidential for three years from the date of submission, September 9, 2022. The application cites Government Code sections 6254.7(d), 6254.15, and 6255 as the basis for confidentiality and notes that data can be disclosed if aggregated with other similar data.

Under California Code of Regulations, title 20, 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 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 under section 2505(b) for the requested term of three years from the dates listed in the document. Data may be disclosed if aggregated with data from other load serving entities.

Be advised that under 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 California Code of Regulations, title 20, sections 2506-2508.

If you have any questions, please email Tanner Kelsey, staff counsel, at tanner.kelsey@energy.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Drew Bohan', with a long horizontal stroke extending to the right.

Drew Bohan
Executive Director