

**DOCKETED**

<b>Docket Number:</b>	22-IEPR-03
<b>Project Title:</b>	Electricity Forecast
<b>TN #:</b>	247904
<b>Document Title:</b>	CEC Response Letter to Modesto Irrigation District's Application for Confidentiality
<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>	12/2/2022 4:46:05 PM
<b>Docketed Date:</b>	12/2/2022



December 2, 2022

**Via email**

Jack A. Rodgers  
Senior Resource Planner  
Modesto Irrigation District  
1231 11<sup>th</sup> Street  
Modesto, California 95352  
[Jack.rodgers@mid.org](mailto:Jack.rodgers@mid.org)

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

Dear Jack A. Rodgers:

The California Energy Commission (CEC) has received Modesto Irrigation District's (applicant) Application for Confidentiality docketed September 9, 2022 (TN 245936), covering the following data:

Form S-2 Capacity/Energy Supply Resources: Column B, Rows 7d – 7n

Form S-5 Bilateral Contracts Table: Columns B through L, Rows 7d – 7n

The applicant states that such data should be designated confidential by the CEC under California Code of Regulations, title 20, section 2505(b) and the data should be confidential for two years from the expiration date of the contract (see form S-5, column H). The application also notes that the data may be disclosed if aggregated with similar other data and concealing the Contract Names, Suppliers/Sellers, Supply Resources, Delivery Zone/Point, and Contract/Agreement Products.

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, Modesto Irrigation District, is a local agency, has itself designated that the data is confidential under the Public Records Act, and the information submitted is pertinent to the responsibilities of the CEC.

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Therefore, the CEC designates the above-described information as confidential for the requested term of two years after the expiration date of each contract (see form S-5, column H). 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 contact Tanner Kelsey, staff counsel at [tanner.kelsey@energy.ca.gov](mailto:tanner.kelsey@energy.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Drew Bohan', with a stylized flourish at the end.

Drew Bohan  
Executive Director