

DOCKETED	
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August 24, 2023

Via Email

Barbara S. Farmer
Direct Energy Business, LLC
910 Louisiana Street, Suite B200
Houston, Texas 77002
barbara.farmer@nrg.com

**Repeated Application for Confidential Designation for Data in Integrated
Energy Policy Report
Docket No. 23-IEPR-02**

Dear Barbara Farmer:

The California Energy Commission (CEC) has received Direct Energy Business, LLC's (applicant) application for confidential designation, dated July 24, 2023 (TN 251155) and July 31, 2023 (TN 251391). The application requests confidential designation for the following data in applicant's Integrated Energy Policy Report (IEPR) Demand Forms:

July 24, 2023 Application (TN 251155)

- Form 7.1 - ESP Report of Loads and Resources Under Contract (2021-2034), for PG&E, SCE, and SDG&E

July 31, 2023 Application (TN 251391)

- Form 8.1a - ESP Estimated Power Supply Cost

The applicant seeks confidentiality for Applicant's historical and forecast load data pursuant to California Code of Regulations, title 20, Section 2505(a)(4) as a repeated application.

California Code of Regulations, title 20, section 2505(a)(4) provides: "Repeated Applications for Confidential Designation. If an applicant is seeking a confidential designation for information that is substantially similar to information that was previously deemed confidential by the CEC pursuant to section 2508, or for which an application for confidential designation was granted by the executive director pursuant to 2505(a)(3)(A) of this section, the new application need contain only a certification, executed under penalty of perjury, stating that the information submitted is substantially similar to the previously submitted information and that all the facts and circumstances relevant to confidentiality remain unchanged. An application meeting these criteria will be approved."

Here, the applicant has attested under penalty of perjury that the information contained in the application is substantially similar to information previously

deemed confidential by the CEC under section 2505(a)(3)(A) and that all the facts and circumstances relevant to confidentiality remain unchanged. For Form 7.1, the previous application was granted March 1, 2007, for a period of three years. For the information set forth in Form 8.1, the data was granted confidentiality on April 6, 2007, for a period of three calendar years.

Therefore, the applicant has established the identified records qualify for confidential designation pursuant to California Code of Regulations, title 20, section 2505(a)(4).

Executive Director's Determination

For the reasons stated, the applicant's confidentiality application is granted. The CEC designates the above-described information as confidential for the term of three years, consistent with the length of time previously granted. 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 confidential records is issued by the CEC's chief counsel. Under California Code of Regulations, title 20, section 2507, the executive director may disclose records, or release records previously designated as confidential, in certain circumstances. The procedures for acting on a petition and criteria for disclosing or releasing records previously designated as confidential are set forth in the California Code of Regulations, title 20, sections 2506-2508.

If you have questions, please email confidentialapplication@energy.ca.gov.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Drew Bohan', with a stylized, sweeping underline.

Drew Bohan
Executive Director