



**COMPLETED**

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April 13, 2007

B.B. Blevins, Executive Director  
Docket No. 00-SB-1305  
California Energy Commission  
1516 Ninth Street, MS-39  
Sacramento, CA 95814-5504

<b>DOCKET</b>	
<b>00-SB-1305</b>	
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**SEMPRA ENERGY SOLUTIONS LLC'S APPLICATION FOR CONFIDENTIALITY,  
DOCKET NO. 00-SB-1305, ANNUAL REPORT TO THE CALIFORNIA ENERGY  
COMMISSION: POWER SOURCE DISCLOSURE PROGRAM MARCH 2007**

In support of Sempra Energy Solutions LLC (SES) application for confidentiality in Docket No. 00-SB-1305, SES hereby respectfully requests that the Commission designate as confidential the information and data set forth in the attached Annual Report Schedule 1 and Schedule 2A. Please note, SES is not requesting confidential treatment for Schedule 2C, as this information will be used to produce SES' power mix label and will be distributed to our customers.

Schedule 1: Retail Sales - Contains the 2006 retail sales for SES.

Schedule 2A: Retail Sales – Contains the 2006 retail sales for SES.

The above described information, as it pertains to the total retail sales for 2006, has not been released to the public, and is considered proprietary and confidential information. SES is not aware of any way in which this information could be legitimately acquired or duplicated by others.

Under PRC Section 25322, the Commission is required to grant a request for confidential designation of information collected pursuant to Section 25301(a) if:

- (a) the information is exempt from disclosure under the California Public Records Act (Govt. Code §§ 6250 et seq.);
- (b) the information meets the confidentiality requirements set forth in the Commission's regulations; or
- (c) on the facts of the particular case, the public interest served by not disclosing the information outweighs the public interest served by disclosure.

The Public Records Act exempts "trade secrets" from public disclosure, including "any formula, plan,...production data, or compilation of information..., which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service...and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it." (Govt. Code § 6254.7(d).)

The Commission's regulations provide for information to be designated as confidential if it "contains a trade secret or its disclosure would otherwise cause a loss of a competitive advantage." (20 CCR § 2505(a)(1)(D).)

The above mentioned forms submitted by SES contain trade secrets or otherwise commercially sensitive data. For example, the information could be used to determine SES's historical and forecasted power and capacity needs. That information in turn could be used by SES's competitors to refine their business strategies and cause competitive harm to SES. It could also be used by suppliers, to SES's disadvantage, when negotiating the price and terms of procurement transactions. Customers could use this information to extract better terms in contract negotiations with SES. These examples are not meant to be exhaustive, but rather illustrative in that the disclosure of the data provided would cause SES a loss of competitive advantage at several levels. Accordingly, SES respectfully requests that all of the information and data set forth in the above mentioned forms (Schedule 1 and Schedule 2A) be designated as confidential.

SES further requests that the designation of confidentiality be for a 3-year period. However, the data can be released immediately if aggregated with all the other energy service providers' ("ESP") Annual Reports to the California Energy Commission.

The undersigned is authorized to make this application and the following certification on behalf of SES:

"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. I also certify that I am authorized to make the application and certification on behalf of Sempra Energy Solutions LLC".

SEMPRA ENERGY SOLUTIONS LLC

By: 

Name: Greg Bass

Title: Director, Retail Commodity Operations

Date: April 13, 2007