

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512

April 21, 2009

Mr. Christopher Warner
Chief Counsel, Law Department
Pacific Gas and Electric Company
P.O. Box 7442
San Francisco, CA 94120-75442

DOCKET
09-IEP-1C

DATE	APR 21 2009
RECD.	APR 23 2009

**RE: Application for Confidentiality—Pacific Gas and Electric Company
Electricity Demand Forecast Forms
Docket No. 09-IEP-1C**

Dear Mr. Warner:

On March 27, 2009, the California Energy Commission received Pacific Gas and Electric Company's (PG&E) application for confidentiality in the above-captioned Docket. The application seeks confidentiality for some of the information contained in the California Energy Commission's (Energy Commission) Electricity Retail Demand Forecast forms. PG&E's application states, in part:

PG&E requests that certain data cells in the demand forecast data in Forms 1.1, 1.2, 1.6(a) and 1.6(b) be designated as confidential. PG&E requests that confidential designation of this information herein be maintained for three years...

Near term forecasted data in Forms 1.1, 1.2, 1.6(a) and 1.6(b) provide competitively and commercially sensitive business and resource planning information and trade secrets.

A properly filed application for confidentiality shall be granted under the California Code of Regulations, title 20, section 2505(a)(3)(A), "if the applicant makes a reasonable claim that the Public Records Act or other provision of law authorizes the [Energy] Commission to keep the record confidential."

PG&E's confidentiality application does not make a reasonable claim to grant confidentiality for the following information identified in your application based on the trade secret exemption to the California Public Records Act. (Gov. Code, § 6254 (k).):

- Form 1.1 Columns C-K
- Form 1.2 (for forecast years 2009-2011):
 - Total Sales
 - Losses

- Total Distribution System Energy Requirements
- Forecast Net of Uncommitted Impacts (Unmitigated for EE Impacts)

Form 1.1 contains aggregated information of both bundled and direct access customers and as such, does not constitute a trade secret. Total distribution system energy annual electricity sales identified in Electricity Retail Demand Forecast Form 1.2 does not constitute a trade secret, nor does the public interest in nondisclosure of such data outweigh the public interest in its disclosure. Similar data has been previously denied confidentiality in past IEPR proceedings (letter from Robert L. Therkelsen to SCE [Laura Genro] 3/3/05). Losses should not be confidential because they can be approximated from the existing historic series. Total sales falls into the same category as Total Distribution System Energy Requirements and, therefore, should not be granted confidentiality.

PG&Es confidentiality application makes a reasonable claim to grant confidentiality for the following information identified in your application based on the trade secret exemption to the California Public Records Act. (Gov. Code, § 6254 (k).):

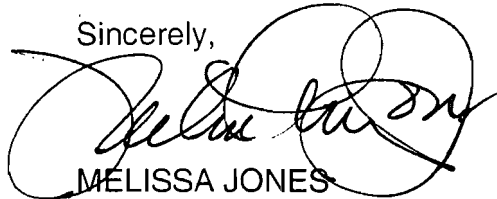
- Form 1.2 (for forecast years 2009-2011)
 - Sales to Bundled Customers (from 1.1)
 - Direct Access Plus Other Non-Utility Procurement
- Form 1.6a the following categories for all hours for the forecast year 2010 (except for the annual peak hour of Total System Load):
 - Bundled load
 - Bundled losses
 - Unbundled Load (DA + BART)
 - Unbundled losses
 - Total System Load
- Form 1.6(b), the following categories for all hours of the forecast year 2010:
 - NP_15
 - ZP_26

The above data was previously granted confidentiality in the 2007 IEPR proceeding (letter from BB Blevins dated 3/12/2007). The Energy Commission will disclose these data only after aggregating to the PG&E transmission system area, including ESPs, POUs, and other entities served by the PG&E transmission system. The information will remain confidential until December 31, 2011.

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Persons may petition to inspect or copy the records that I have designated as confidential. The procedures and criteria for filing, reviewing, and acting upon such petitions are set forth in the California Code of Regulations, title 20, section 2506. Finally, an appeal of this decision must be filed within fourteen days from the date of this decision. The procedures and criteria for appealing any part of this decision are set forth in the California Code of Regulations, title 20, section 2505. If you have any questions concerning this matter, please contact Kerry Willis, Senior Staff Counsel, at (916) 654-3967.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Jones", written over a circular stamp or seal.

MELISSA JONES
Executive Director

cc: Docket Unit