

## CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512



April 23, 2009

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

<b>DOCKET</b>	
<b>09-IEP-1C</b>	
DATE	April 23 2009
RECD.	April 24 2009

**RE: Application for Confidentiality—Pacific Gas and Electric Company  
Electric Retail Price 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 is requesting confidential designation for the following portions of the Electric Retail Price Forecast Forms:

- (i) Form 8.1a-forecast fuel and non-fuel revenue requirements for 2010-2020, and forecast average fuel price for 2010-2011 for utility-owned natural gas-fired generation.

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 8.1(a)—forecast fuel and non-fuel revenue requirements for 2010-2020

The reasons for denying confidentiality are as follows:

- The cost data that PG&E has provided for its purchased power contracts is in an aggregated form and does not reveal price details for individual supply contract.
- The "total cost" for purchased power on Form 8.1a is in an aggregated form. It is the product of many prices multiplied by different quantities of purchased energy from various sources.

- The material PG&E has provided does not include summaries of the quantities of electricity generation that PG&E expects to produce from its own generation resources or from purchased power. The provided data, therefore, does not reveal PG&E's supply-demand balance or its future needs to purchase or generate power.
- By not providing the quantities of electricity (in MWh or GWh) by type of generation, PG&E's competitors and suppliers cannot determine what price PG&E is paying or is willing to pay for purchased power. Similarly, since PG&E did not report how much generation capacity (in MW or GW) it had purchased or planned to purchase, the capacity price that PG&E is paying or is willing to pay would not be discernable.

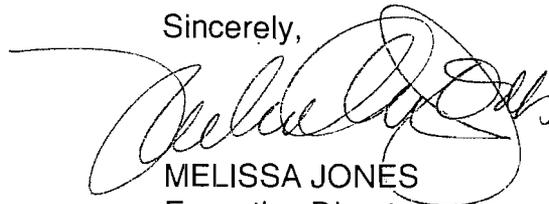
PG&E's confidentiality application makes a reasonable claim to grant confidentiality for the following information identified in your application based on the trade secret exemption to the California Public Records Act., (Gov. Code, § 6254 (k).) possibly giving potential suppliers a competitive advantage that could result in higher power prices.

- Form 8.1(a) forecast average fuel price for 2010-2011 for utility owned natural gas-fired generation

This information is exempt from public disclosure since it constitutes a trade secret, and could harm PG&E's proprietary business interests. (Gov. Code § 6254 (k).)

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,



MELISSA JONES  
Executive Director

cc: Docket Unit