

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO: CA 95814-5512

August 10, 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-1L

DATE	Aug 10 2009
RECD.	Aug 10 2009

**RE: Application for Confidentiality—Pacific Gas and Electric
Company
Nuclear Data Request in the 2009 Integrated Energy Policy
Report
Docket No. 09-IEP-1L**

Dear Mr. Warner:

On July 27, 2009, the California Energy Commission (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 Energy Commission's Nuclear Power Plant forms. PG&E's application states, in part:

PG&E is requesting confidential designation for Nuclear Power Plant Data Requests questions I.8 (proprietary INPO evaluations subject to confidentiality pursuant to the terms of I.8 and other requirements), J.1 (trade secret information on nuclear fuel contracts), and J.3 (trade secret information on forecast nuclear fuel prices)...PG&E requests that the information relating to self-assessment evaluations by the Institute for Nuclear Power Operations (INPO) (Question I.8) be kept confidential for as long as INPO's policies require that it be kept confidential. PG&E requests that all of the nuclear fuel contract and pricing forecast information (J.1 and J.3) be kept confidential permanently...PG&E believes that the confidentiality of this information is required to ensure that (a) for its nuclear fuel costs, prices, and strategies are not revealed, thereby compromising PG&E's ability to secure the most favorable prices for nuclear fuel supplies for customers; and (b) as acknowledged by Question I.8, information owned and possessed by INPO as part of self-assessments performed by INPO is not revealed, thereby compromising and adversely affecting the benefits of such self-assessments.

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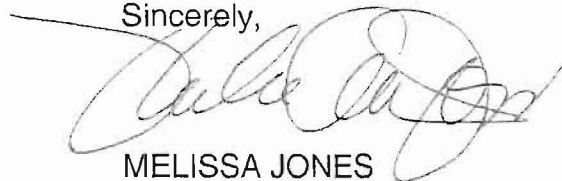
A properly filed application for confidentiality shall be granted under the California Code of Regulations, title 20, section 2505(a)(3)(A), "if the applicant makes a reasonable claim that the Public Records Act or other provision of law authorizes the [Energy] Commission to keep the record confidential."

PG&E's confidentiality application 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).).

The information contained in Questions J.1 and J.3 will remain confidential until December 31, 2018. The self-assessment evaluations by INPO (Question I.8) will be kept confidential as required by INPO's policies; however, the Energy Commission understands that PG&E will provide us with non-confidential facts relating to the INPO evaluations to be included in the public version relevant IEPR documents and reports.

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 horizontal line.

MELISSA JONES
Executive Director

cc: Docket Unit
Mark Krause, Director, State Agency Relations