

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512

May 6, 2011

DOCKET 11-IEP-1C
DATE 5-6-11
RECD. 5-6-11

Ms. Marcie A. Milner
Vice President, Regulatory Affairs
Shell Energy North America (US), L.P.
4445 Eastgate Mall, Suite 100
San Diego, CA 92121

RE: **Application for Confidentiality, Shell Energy North America, L.P.,
IEPR Electricity Demand Forecast Submission
Docket No. 11-IEP-1C**

Dear Ms. Milner:

On April 18, 2011, the California Energy Commission (Energy Commission) received the Shell Energy North America, L.P. ("Shell Energy") application for confidentiality in the above-captioned Docket. The application seeks confidentiality for information contained on the Electricity Retail Demand Forecast Form 7.

Specifically, Shell Energy requests that the following information be held confidential:

Form 7, contains information about the actual and forecasted annual energy purchases for the years 2008-2014, annual and forecasted peak loads for the years 2008-2014 and customer counts for the years 2008-2014.

Shell Energy asserts that this information should be designated confidential because the forms as submitted by Shell Energy:

...constitutes proprietary trade secret information...this information would reveal [Shell Energy's] net short position and would place [Shell Energy] at a competitive disadvantage in the wholesale and retail electricity markets...

Shell Energy requests that the historical information in Form 7 be granted confidentiality for one year and that the information in Form 7 for years 2011 to 2014 be granted confidentiality for three years. The data can be released if aggregated with all other energy service providers' (ESP) demand forecasts.

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."

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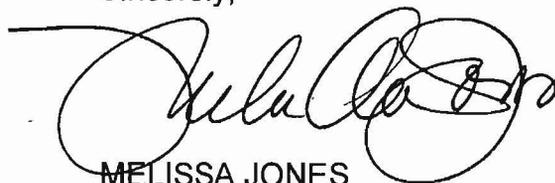
Shell Energy's confidentiality application makes a reasonable claim to grant confidentiality for the data identified above. The information contained on Form 7 constitutes a trade secret and would place Shell Energy at a competitive disadvantage if disclosed. The Energy Commission will aggregate the information submitted by Shell Energy to prevent disclosure of information that would cause harm. The data will be aggregated as follows:

1. For individual ESPs, data aggregated at the statewide level by major customer sector.
2. For the sum of all ESPs, data aggregated at the service area, planning area, or statewide levels by major customer sector.

The identified confidential information contained on Form 7 for years 2008 to 2010 will be kept confidential until December 31, 2011. The identified confidential information contained on Form 7 for years 2011 to 2014 will be kept confidential until December 31, 2014.

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. Be advised that 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