

## CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512

May 24, 2013

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

California Energy Commission

**DOCKETED****13-IEP-1C**

TN 70965

MAY 24 2013

RE: Shell Energy North America (US), L.P.'s Application for Confidentiality for the  
*2013 Integrated Energy Policy Report* Electricity Demand Forecast Submission  
Docket No. 13-IEP-1C

Dear Ms. Milner:

On April 29, 2013, Shell Energy North America (US), L.P. (Shell Energy) filed an application for confidentiality in the above-captioned Docket. The application seeks confidentiality for information contained on the Electricity Retail Demand Forecast (Form 7) and the Estimated Power Supply costs (Form 8.1a).

Shell Energy's application for confidential designation states, in part:

Applicant requests that all of the historical information contained in Form 7 and Form 8.1a (ESP) be designated as confidential for one (1) year, and that all forecast information contained in Form 7 and Form 8.1a (ESP) be designated as confidential for three (3) years.

Shell Energy requests that this information should be designated confidential because it:

... constitutes proprietary trade secret information under Government Code Section 6254.15. Public disclosure of this information could competitively harm Applicant because the information reflects Applicant's total historical and forecast retail load in the service territories of the California investor-owned electric utilities, as well as the cost of the power purchased to serve this retail load. Public disclosure of this information would reveal Applicant's net short position and would reveal the price paid by Applicant for energy and capacity, thereby placing Applicant at a competitive disadvantage in the wholesale and retail electricity markets.

A properly filed application for confidentiality shall be granted under California Code of Regulations, Title 20, Section 2505(a)(3)(A), "if the applicant makes a reasonable claim

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that the California Public Records Act or other provision of law authorizes the [Energy] Commission to keep the record confidential.”

Shell Energy’s confidentiality application makes a reasonable claim to grant confidentiality for the following information based on the trade secret exemption to the California Public Records Act. (Gov. Code, § 6254 (k)):

Specifically for Form 7, retail sales, peak demand, and customer counts for years 2011 to 2015.

Specifically for Form 8.1a, all estimated power-supply costs for years 2011 to 2015.

The information identified above 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 either at the statewide level by major customer sector or with the sum of all other Electric Service Providers (ESP) data at the service area, planning area, or statewide level by major customer sector.

The identified historical information contained on Forms 7 and 8.1a for years 2011 and 2012 will be kept confidential until December 31, 2013. The forecasted information contained on Forms 7 and 8.1a for years 2013 to 2015 will be kept confidential until December 31, 2015.

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 California Code of Regulations, Title 20, Section 2506. Be advised that an appeal of this decision must be filed within 14 days from the date of this decision. The procedures and criteria for appealing any part of this decision are set forth in 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,



Robert P. Oglesby  
Executive Director

cc: Docket Unit  
Sylvia Bender