

CALIFORNIA ENERGY COMMISSION

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SACRAMENTO, CA 95814-5512
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April 19, 2013

California Energy Commission

DOCKETED**13-IEP-1C**

TN # 70396

APR. 19 2013

Mr. Greg Bass
Director, Retail Commodity Operations
Noble Americas Energy Solutions, LLC
401 West A Street, Suite 500
San Diego, CA 92101-3017

RE: Noble Americas Energy Solutions, LLC's Application for Confidentiality for the
2013 Integrated Energy Policy Report Electricity Demand Forecast Submission
Docket No. 13-IEP-1C

Dear Mr. Bass:

On March 22, 2013, the California Energy Commission (Energy Commission) received Noble Americas Energy Solutions, LLC's ("Noble Solutions") application for confidentiality in the above-captioned Docket. The application seeks confidentiality for information contained on the Electricity Retail Demand Forecast Form 7 and Form 8.1(a) Energy Service Provider (ESP).

Specifically, Noble Solutions requests that the following information be held confidential:

Form 7 contains information about the actual and forecasted annual energy purchases for the years 2004-2024, annual and forecasted peak loads for the years 2004-2024 and customer counts for the years 2004-2024.

Form 8.1(a) (ESP) contains information on Noble Solutions' historical and forecasted energy procurement costs 2010-2017.

Noble Solutions asserts that this information be designated confidential because the forms as submitted by Noble Solutions:

...contains trade secrets or otherwise commercially sensitive data...this information "could provide significant insight into business strategies in a way that could harm the competitive situation of the filer"...

Noble Solutions requests that the above information be granted confidentiality for three years. The ESP data can be released immediately if aggregated with all other ESP demand forecasts.

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

Noble Solutions' confidentiality application makes a reasonable claim to grant confidentiality for the data identified above. The information contained on Form 7 and Form 8.1(a) (ESP) constitutes a trade secret, and could place Noble Solutions at a competitive disadvantage if disclosed. The Energy Commission will aggregate the information submitted by Noble Solutions 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 and Form 8.1(a) (ESP) will be kept confidential until December 31, 2016.

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 14 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,



Robert P. Oglesby
Executive Director

cc: Docket Unit
Sylvia Bender