

CALIFORNIA ENERGY COMMISSION1516 NINTH STREET
SACRAMENTO, CA 95814-5512

May 14, 2013

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

California Energy Commission

DOCKETED
13-IEP-1C

TN 70810

MAY 14 2013

RE: Pacific Gas and Electric Company's Application for Confidentiality for *the 2013 Integrated Energy Policy Report* Electricity Demand Forecast Submission
Docket No. 13-IEP-1C

Dear Mr. Warner:

On April 15, 2013, 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 Electricity Retail Demand Forecast forms. PG&E's application states, in part:

PG&E requests that certain data cells in the demand forecast data in Forms 1.1a, 1.1b, 1.2, 1.3, 1.4, 1.5, 1.6(a), 1.6(b) and 2.2 be designated as confidential...

Specifically for Form 1.1a, the following categories for the forecast years 2013-2015:

- Sales To Bundled Customers.

Specifically for Form 1.1b, the following categories for the forecast years 2013-2015:

- Sales To Bundled Customers (from 1.1a);
- Direct Access Sales.

Specifically for Form 1.2, the following categories for the forecast years 2011-2013:

- Sales to Bundled Customers (from 1.1a);
- Direct Access Plus Other Non-Utility Procurement.

Specifically for Form 1.3, the following categories for forecast years 2013-2015:

- Bundled Customer Peak.

Specifically for Form 1.4, the following categories for forecast years 2013-2015:

- Bundled Customer Peak (from 1.3);
- Direct Access Peak.

Specifically for Form 1.5, the following categories for forecast years 2013-2015:

- Distribution Area Coincident Peak Demand by Weather Categories.

Specifically for Form 1.6(a), the following categories for all hours for the forecast year 2013:

- Bundled Load;
- Bundled Losses;
- Unbundled Load (DA + BART);
- Unbundled Losses; and
- Total System Load.

Specifically for Form 1.6(b), the following categories for all hours for the forecast year 2013:

- NP_15;
- ZP_26;
- Humboldt;
- North Coast/North Bay;
- Greater Bay;
- Sierra;
- Stockton;
- Fresno;
- Kern.

Specifically for Form 2.2, the following categories for all hours for the forecast years 2013-2024:

- Electricity Rate Forecast.

PG&E requests that confidential designation of this information be maintained for three years. PG&E believes that this is the length of time that is required to ensure that recent near-term forecasts do not reveal PG&E's ongoing and future procurement and competitive positions and strategies, thereby compromising PG&E's ability to secure the most favorable deals for customers and protect its business strategies and proprietary business planning information from disclosure to competitors.

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 that the California 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:

- Form 1.1a – Sales to bundled customers;
- Form 1.3 – Coincident peak demand for bundled customers;
- Form 1.4 – All data concerning distribution area coincident peak demand;
- Form 1.5 – Distribution area coincident peak demand for a 1-2 weather scenario; and
- Form 1.6b – All data concerning annual non-coincident peak by region.

The information submitted by PG&E on Form 1.1a represents total sales to both bundled and direct access customers. Since PG&E did not submit sales to bundled customers on Form 1.1a, I cannot consider it for confidential designation.

The remaining information identified above concerning bundled customer annual peak electricity demand does not constitute a trade secret, nor does the public interest in nondisclosure of such data outweigh the public interest in its disclosure. This conclusion is supported by the Energy Commission's Order Denying Southern California Edison Company's Appeal of Executive Director Decision Denying Confidentiality, dated April 13, 2005, and, in part, in the subsequent decision in Superior Court upholding that Order (case No. 05cs00860).

PG&E's confidentiality application does 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 1.1b – Direct access and bundled customer sales for years 2013 - 2015;

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- Form 1.2 – Bundled, direct access, and other departing load for years 2013 - 2015;
- Form 1.5 – Distribution area coincident peak demand for 1-5, 1-10, and 1-20 temperature scenarios for years 2013 - 2015;
- Form 1.6a – Bundled and direct access hourly loads and losses forecasted for 2013; and
- Form 2.2 – Electricity rate forecasts for years 2013-2024.

The Energy Commission will disclose these data only after aggregating to the PG&E transmission system area, including Electric Service Providers, Publicly Owned Utilities, and other entities served by the PG&E transmission system. The information will remain 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. Finally, 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
Valerie Winn
Manager
State Agency Relations