

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA**



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Order Instituting Rulemaking to Continue
Implementation and Administration, and
Consider Further Development, of California
Renewables Portfolio Standard Program.

Rulemaking 15-02-020
(Filed February 26, 2015)

**MOTION OF CALPINE POWERAMERICA-CA, LLC
FOR LEAVE TO FILE UNDER SEAL THE
CONFIDENTIAL INFORMATION IN APPENDIX A TO
THE 2016 RENEWABLES PORTFOLIO STANDARD
PROCUREMENT PLAN**

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August 8, 2016

Attorneys for Calpine PowerAmerica-CA, LLC

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Pursuant to the California Public Utilities Commission (“Commission”) Rules of Practice and Procedure, Rule 11.1 and 11.4 and Ordering Paragraph 9 of Decision (“D.”) 08-04-023, Calpine PowerAmerica-CA, LLC (“CPA”) respectfully files this Motion for Leave to File Under Seal the Confidential 2016 Renewables Portfolio Standard Procurement Plan (“Motion”). Concurrently with this Motion, CPA is filing its 2016 Renewables Portfolio Standard (“RPS”) Procurement Plan. CPA’s 2016 RPS Procurement Plan includes a narrative response and an Appendix A. CPA is filing a confidential and public version of the Appendix A; the narrative response is public.

In Decision 06-06-066, as modified by Decision 08-04-023, (collectively “Confidentiality Decisions”), the Commission adopted rules governing the confidentiality of certain electric procurement data submitted to the Commission by electric service providers (“ESPs”). In the modified ESP matrix attached to Decision 08-04-023, the Commission identified categories of information and the confidentiality protections to be applied to those categories.¹ To the extent information submitted to the Commission by an ESP matches a category of information

¹ See D.08-04-023 at Appendix B.

contained in the ESP Matrix, the information is entitled to the protection provided for that category of information by the ESP Matrix.²

Attached hereto and incorporated by reference is a table identifying data for which CPA is seeking confidential treatment. As required by Ordering Paragraph 2 of Decision 06-06-066, the table specifies:

1. That the material CPA is submitting constitutes a particular type of data listed in the Matrix;
2. Which category or categories in the Matrix the data correspond to;
3. That CPA is complying with the limitations on confidentiality specified in the Matrix for that type of data;
4. That the information is not already public; and
5. That the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.

For the above reasons, CPA requests that confidentiality of cells identified in the attached table be treated as confidential information and not publically disclosed. Further, CPA requests an order for leave to file the confidential Appendix A to its 2016 RPS Procurement Plan under seal.

Respectfully submitted,

/s/

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August 8, 2016

² Decision 06-06-066, mimeo at 80 (Ordering Paragraph 2).

CALPINE POWERAMERICA-CA, LLC

2016 RPS PROCUREMENT PLAN

IDENTIFICATION OF CONFIDENTIAL INFORMATION PER DECISION 06-06-066, as modified by D.08-04-023*

Date: August 8, 2016

Redaction Reference	1)The material submitted constitutes a particular type of data listed in the Matrix, appended as Appendix 1 to D.06-06-066 (Y/N)	2) Which category or categories in the Matrix do(es) the data correspond to:	3)That it is complying with the limitations on confidentiality specified in the Matrix for that type of data (Y/N)	4)That the information is not already public (Y/N)	5) The data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure (Y/N)	Calpine PowerAmerica’s Justification for Confidential Treatment
RNS_report Tab: G31-36, G40-41, H31-36, H40-41, I6, I8, I10-41, J6, J8, J10-41, K6, K8, K10-41, L6, L8, L10-41, M6, M8, M10-41, N6, N8, N10-41, O6, O8, O10-41, P6, P8, P10-41, Expiring_Contracts Tab: C2-22, D2-22, E2-22	Y	Items I-A, I-B, III-C	Y	Y	Y (but data may be aggregated with data of all ESPs)	Historical and front three years of forecast of Calpine PowerAmerica’s total energy requirements. This covers data from 2011 through 2020; accordingly, data is redacted. Linked cells whose values would reveal this confidential data are also redacted.

* Rows 31-36, 40, and 41 were already determined to be protected as Confidential under CPUC Confidentiality Rules. See R.11-05-005, *Administrative Law Judge’s Ruling on Renewable Net Short*, filed May 21, 2014.

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[PROPOSED] RULING

The California Public Utilities Commission (“Commission”) has considered the motion of Calpine PowerAmerica-CA, LLC (“CPA”), filed August 8, 2016, for confidential treatment of certain data and information contained in its 2016 RPS Procurement Plan. This data and information is of the type addressed in the Matrices to D.06-06-066.

Good cause showing, the Commission rules as follows:

- (1) The information contained in the following cells of the spreadsheet attached as Appendix A to CPA’s 2016 RPS Procurement Plan filed on August 8, 2016, will be treated as confidential information and not publicly disclosed:

RNS_report Tab: G31-36, G40-41, H31-36, H40-41, I6, I8, I10-41, J6, J8, J10-41, K6, K8, K10-41, L6, L8, L10-41, M6, M8, M10-41, N6, N8, N10-41, O6, O8, O10-41, P6, P8, P10-41; Expiring_Contracts Tab: C2-22, D2-22, E2-22

- (2) The confidential, unredacted version of this information shall not be made accessible or disclosed to anyone other than the Commission and its staff except on the further order or ruling of the Commission, the Assigned Commissioner, the Assigned Administrative Law Judge (ALJ), or the ALJ then designated as Law and Motion Judge.

Dated _____, 2016 at San Francisco, California.

Administrative Law Judge