

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



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Application of Pacific Gas and Electric Company for Adoption of Electric Revenue Requirements and Rates Associated with its 2017 Energy Resource Recovery Account (ERRA) and Generation Non-Bypassable Charges Forecast and Greenhouse Gas Forecast Revenue and Reconciliation

(U 39 E)

Application 16-06-003
(Filed June 1, 2016)

**MOTION OF PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)
TO SEAL THE EVIDENTIARY RECORD UNDER RULE 11.5**

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Dated: November 2, 2016

**BEFORE THE
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Pacific Gas and Electric Company (“PG&E”) is filing this motion pursuant to Commission Rule of Practice and Procedure (“Rule”) 11.5, Decisions (“D.”) 06-06-066, 08-04-023, and 14-10-033, Public Utilities Code Sections 454.5(g) and 583¹, and General Order (“GO”) 66-C. The material in the evidentiary record that PG&E seeks to protect is included in the confidential version of the November Update served by PG&E in this proceeding on November 2, 2016, which has been designated as Exhibits PG&E-5 (public version) and PG&E-5-C (confidential version). As specified in Rule 11.5(b), this motion is being filed concurrent with PG&E’s motion under Rule 13.8(c) to offer the November Update into evidence.

Section 583 provides that, “[n]o information furnished to the commission by a public utility. . . except those matters specifically required to be open to public inspection by this part, shall be open to public inspection or made public except on order of the commission, or by the commission or commissioner in the course of a hearing or proceeding.” In D.06-06-066, the

¹ All statutory references are to the California Public Utilities Code, unless otherwise specified.

Commission adopted rules and procedures governing the submission of confidential energy procurement information to the Commission. Appendix 1 of D.06-06-066 provides the Commission's matrix governing the confidentiality of energy procurement data provided by Investor-Owned Utilities ("IOUs"). D.06-06-066 instructed practitioners to look to confidentiality statutes such as Section 454.5(g), GO 66-C, and the Commission Rules on which to base an assertion of confidentiality.² More recently, the Commission extended confidentiality protections to greenhouse gas ("GHG") related information in D.14-10-033.

In D.08-04-023, the Commission directed that the IOUs make an oral or written motion for confidential treatment for material or testimony offered into evidence.³ In its motion, the IOU must establish:

1. That the material it is submitting constitutes a particular type of data listed in the Matrix;
2. The category or categories in the Matrix to which the data correspond;
3. That it 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.⁴

In addition, a party may seek confidential treatment of data not included in the Matrix pursuant to GO 66-C by filing a motion pursuant to Resolution ALJ-164.⁵

² D.06-06-066 at p. 28.

³ D.08-04-023 at p. 21.

⁴ D.06-06-066, Ordering Paragraph 2.

⁵ *Id.*, Ordering Paragraphs 3 and 4.

Attached hereto and incorporated herein by reference is a table that: (1) describes the material for which PG&E seeks confidential treatment; (2) states whether PG&E seeks confidentiality protection pursuant to D.06-06-066 and/or other authority; and (3) where PG&E seeks protection under D.06-06-066, the category or categories in the Matrix to which the data correspond. In the column labeled “Justification for Confidential Treatment,” PG&E explains why the material should be protected. The information identified in the table is not already public and cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.

Based on the foregoing, PG&E respectfully requests that the Commission grant this request to seal the evidentiary record for the confidential, unredacted version of the November Update served by PG&E in this proceeding on November 2, 2016 which has been designated as Exhibit PG&E-5-C.

Respectfully submitted,

By: /s/ Charles R. Middlekauff
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Dated: November 2, 2016

PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)

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NOVEMBER UPDATE TESTIMONY
NOVEMBER 2, 2016**

IDENTIFICATION OF CONFIDENTIAL INFORMATION

Redaction Reference	Category from D.06-06-066, Appendix 1, or Separate Confidentiality Order That Data Corresponds To	Justification for Confidential Treatment	Length of Time Data To Be Kept Confidential
Document: Chapter 2			
TABLE 2-3	V.B – Bundled Customer Peak Load Forecast (MW) V.C.- Bundled Customer Total Energy Forecast (MWh) V.D – Service Area Peak Load Forecast (MW) V.E – Service Area Total Energy Forecast (MWh)	Table 2-3 includes confidential information on PG&E’s monthly service area and bundled energy and peak load forecasts.	Front three years.

PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)
2017 ENERGY RESOURCE RECOVERY ACCOUNT AND GENERATION NON BYPASSABLE CHARGES FORECAST AND GREENHOUSE GAS FORECAST REVENUE AND RECONCILIATION (A.16-06-003)
NOVEMBER UPDATE TESTIMONY
NOVEMBER 2, 2016

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Document: Chapter 3			
TABLES 3-1 and 3-2	IV.A – Production Forecast of Utility-Owned Generation (MW and MWh)	Confidential forecast of capacity rating and/or expected output of utility-owned generation resources. Public by resource category (<i>e.g.</i> , hydro, conventional, etc.) after three years.	Three years
	IV.B – Production Forecast of QF facilities	Confidential forecast of capacity rating and/or expected output of QF resources. Public by resource category (<i>e.g.</i> , hydro, conventional, etc.) after three years.	Three years
	IV.C – Production Forecast of Utility-Owned Hydro Greater than 30 MW	Confidential forecast of capacity rating and/or expected output of utility-owned hydroelectric generation resources greater than 30 MW.	Three years
	IV.E – Production Forecast of Pre-1/1/2003 contracts	Confidential forecast of capacity rating and/or expected output for individual contracts. Aggregated annual capacity and energy data from all pre-1/1/2003 contracts public.	Three years or one year following expiration of contract
	IV.F – Production Forecast of Post-1/1/2003 contracts	Confidential forecast of capacity rating and/or expected output for individual contracts. Aggregated annual capacity and energy data from all post-1/1/2003 contracts public.	Three years or one year following expiration of contract
	V.B – Bundled Customer Peak Load Forecast (MW)	Confidential forecast of bundled customer peak load.	Front three years

PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)

**2017 ENERGY RESOURCE RECOVERY ACCOUNT AND GENERATION NON BYPASSABLE CHARGES FORECAST AND
GREENHOUSE GAS FORECAST REVENUE AND RECONCILIATION (A.16-06-003)
NOVEMBER UPDATE TESTIMONY
NOVEMBER 2, 2016**

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	V.C – Bundled Customer Total Energy Forecast (MWh)	Confidential forecast of bundled customer total energy requirements.	Front three years
	V.E – Service Area Total Energy Forecast (MWh)	Confidential forecast of service area total energy requirements.	Front three years
	V.H – Net capacity and energy forecasts for bundled customers	Confidential forecast of bundled customer net capacity and energy.	Front three years
	VI.A – Bundled Customer Net Open Capacity (MW)	Confidential forecast of bundled customer net open position (capacity).	Front three years
	VI.B – Bundled Customer Net Open Energy (MWh)	Confidential forecast of bundled customer net open position (energy).	Front three years

PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)

**2017 ENERGY RESOURCE RECOVERY ACCOUNT AND GENERATION NON BYPASSABLE CHARGES FORECAST AND GREENHOUSE GAS FORECAST REVENUE AND RECONCILIATION (A.16-06-003)
NOVEMBER UPDATE TESTIMONY
NOVEMBER 2, 2016**

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TABLE 3-3	I.A.2 – Gas Price Forecast (Utility)	Utility forecast of gas prices – front three years of the forecast are confidential.	Front three years
	I.A.3 – Gas Demand Forecast (Utility)	Utility forecast of gas demand for utility purchases -- front three years of the forecast are confidential.	Front three years
	I.A.4 – Hedging Plan (PG&E)	Information regarding PG&E’s confidential Hedging Plan.	3 years past expiration of the last trade executed under the hedging plan
	II.B.3 – Generation Cost Forecast (QFs)	Confidential generation cost forecast for QF generation. Public by resource category (e.g., hydro, conventional, etc.) after three years.	Three Years
	II.B.4 – Generation Cost Forecast (Non-QF Bilaterals)	Confidential generation cost forecast for Non-QF generation. Public by resource category (e.g., hydro, conventional, etc.) after three years.	Three Years
	D.14-10-033, Attachment A General Order 66-C	Information concerning GHG compliance instrument procurement strategy and/or activities. The release of this commercially sensitive information could cause harm to PG&E’s customers and put PG&E at an unfair business advantage by the disclosure of a GHG procurement strategy. This information could be used by other market participants to gain a commercial advantage. In addition, this information may reveal whether or not PG&E participated in California Air Resources Board (“ARB”) auctions and PG&E’s net open position for GHG compliance.	Indefinite

PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)
2017 ENERGY RESOURCE RECOVERY ACCOUNT AND GENERATION NON BYPASSABLE CHARGES FORECAST AND GREENHOUSE GAS FORECAST REVENUE AND RECONCILIATION (A.16-06-003)
NOVEMBER UPDATE TESTIMONY
NOVEMBER 2, 2016

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TABLE 3-4	I.A.2 – Gas Price Forecast (Utility)	Utility forecast of gas prices – front three years of the forecast are confidential.	Front three years
	II.A.2 – Electric Price Forecast (Utility)	Utility forecast of electric prices.	Three years
Document: Chapter 4			
TABLES 4-1 and 4-3	I.A.2 – Gas Price Forecast (Utility)	Utility forecast of gas prices – front three years of the forecast are confidential.	Front three years
	I.A.3 – Gas Demand Forecast (Utility)	Utility forecast of gas demand for utility purchases -- front three years of the forecast are confidential.	Front three years
	I.A.4 – Long-term Fuel Buying (PG&E)	Information regarding confidential fuel buying plan for PG&E-owned or contracted resources.	Three years
	II.B.1 – Generation Cost Forecast (Utility-Owned Generation)	Confidential generation cost forecast for utility-owned generation. Public by resource category (e.g., hydro, conventional, etc.) after three years.	Three Years
	General Order 66-C	Information concerning nuclear fuel procurement strategy, transactions, and/or costs. Release of this market sensitive information could put PG&E at a competitive disadvantage with regard to other market participants and could detrimentally impact PG&E customers.	Indefinite

PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)
2017 ENERGY RESOURCE RECOVERY ACCOUNT AND GENERATION NON BYPASSABLE CHARGES FORECAST AND GREENHOUSE GAS FORECAST REVENUE AND RECONCILIATION (A.16-06-003)
NOVEMBER UPDATE TESTIMONY
NOVEMBER 2, 2016

IDENTIFICATION OF CONFIDENTIAL INFORMATION

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Document: Chapter 5			
TABLE 5-1	II.B.3 – Generation Cost Forecast (QFs)	Confidential generation cost forecast for QF generation. Public by resource category (e.g., hydro, conventional, etc.) after three years.	Three years
	II.B.4 – Generation Cost Forecast (Non-QF Bilaterals)	Confidential generation cost forecast for Non-QF generation. Public by resource category (e.g., hydro, conventional, etc.) after three years.	Three years
	IV.B – Production Forecast of QF facilities	Confidential forecast of capacity rating and/or expected output of QF resources. Public by resource category (e.g., hydro, conventional, etc.) after three years.	Three years
	IV.E – Production Forecast of Pre-1/1/2003 contracts	Confidential forecast of capacity rating and/or expected output for individual contracts. Aggregated annual capacity and energy data from all pre-1/1/2003 contracts public.	Three years or one year following expiration of contract
	IV.F – Production Forecast of Post-1/1/2003 contracts	Confidential forecast of capacity rating and/or expected output for individual contracts. Aggregated annual capacity and energy data from all post-1/1/2003 contracts public.	Three years or one year following expiration of contract

PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)
2017 ENERGY RESOURCE RECOVERY ACCOUNT AND GENERATION NON BYPASSABLE CHARGES FORECAST AND GREENHOUSE GAS FORECAST REVENUE AND RECONCILIATION (A.16-06-003)
NOVEMBER UPDATE TESTIMONY
NOVEMBER 2, 2016

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Document: Chapter 6			
TABLE 6-1	II.B.4 – Generation Cost Forecast (Non-QF Bilaterals)	Confidential generation cost forecast for QF generation. Public by resource category (e.g., hydro, conventional, etc.) after three years.	Three Years
	VI.A – Bundled Customer Net Open Capacity (MW)	Confidential forecast of bundled customer net open position (capacity).	Front three years
	VI.B – Bundled Customer Net Open Energy (MWh)	Confidential forecast of bundled customer net open position (energy).	Front three years
Document: Chapter 7			
TABLE 7-1	D.14-10-033, Attachment A General Order 66-C	Information concerning GHG compliance instrument procurement strategy and/or activities. The release of this commercially sensitive information could cause harm to PG&E’s customers and put PG&E at an unfair business advantage by the disclosure of a GHG procurement strategy. This information could be used by other market participants to gain a commercial advantage. In addition, this information may reveal whether or not PG&E participated in ARB auctions and PG&E’s net open position for GHG compliance.	Indefinite

PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)
2017 ENERGY RESOURCE RECOVERY ACCOUNT AND GENERATION NON BYPASSABLE CHARGES FORECAST AND GREENHOUSE GAS FORECAST REVENUE AND RECONCILIATION (A.16-06-003)
NOVEMBER UPDATE TESTIMONY
NOVEMBER 2, 2016

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Document: Chapter 8			
TABLE 8-1	I.A.4 – Hedging Plan (PG&E) D.11-01-037 Resolution E-4276, Finding 8	Information regarding PG&E’s confidential Hedging Plan.	3 years past expiration of the last trade executed under the hedging plan
Document: Chapter 9			
TABLE 9-3	I(A)(4) II(B)(3) and (4) IV(B) and (E)	Table contains utility hedging plan costs and forecasted contract costs and generation for QF contracts and pre-2003 bilateral contracts (IDWA and MWD).	Hedging Plan – 3 years Contract Information 3-years or for 1-year following expiration
TABLE 9-5	GO 66-C	Table contains proprietary subscription-based data from Platts that is subject to a non-disclosure agreement with the provider.	Indefinite

PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)
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NOVEMBER UPDATE TESTIMONY
NOVEMBER 2, 2016

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Document: Chapter 11			
TABLE 11-1	Consolidated from Chapters 3, 4, 5, 6, 7 and 8	Consolidated from Chapters 3, 4, 5, 6, 7 and 8 (see above for the basis for the confidentiality designations)	
Document: Chapter 12			
TABLES 12-1, 12-2, and 12-3	D.14-10-033, Attachment A General Order 66-C	Information concerning GHG compliance instrument procurement strategy and/or activities. The release of this commercially sensitive information could cause harm to PG&E's customers and put PG&E at an unfair business advantage by the disclosure of a GHG procurement strategy. This information could be used by other market participants to gain a commercial advantage. In addition, this information may reveal whether or not PG&E participated in ARB auctions and PG&E's net open position for GHG compliance.	Indefinite