



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

**FILED**  
07/19/18  
04:59 PM

Application of Southern California Edison  
Company (U 338-E) for Approval of the Coso  
Termination Agreement.

Application No. 18-03-010

**MOTION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) FOR LEAVE  
TO FILE THE CONFIDENTIAL VERSION OF ITS RESPONSE TO THE ALJ'S  
RULING UNDER SEAL**

JANET S. COMBS  
CAROL SCHMID-FRAZEE  
CRYSTAL NEEDHAM

Attorneys for  
SOUTHERN CALIFORNIA EDISON COMPANY

2244 Walnut Grove Avenue  
Post Office Box 800  
Rosemead, California 91770  
Telephone: (626) 302-1337  
Facsimile: (626) 302-1935  
E-mail: Carol.SchmidFrazee@sce.com

Dated: **July 19, 2018**

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

Application of Southern California Edison  
Company (U 338-E) for Approval of the Coso  
Termination Agreement.

Application No. 18-03-010

**MOTION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) FOR LEAVE  
TO FILE THE CONFIDENTIAL VERSION OF ITS RESPONSE TO THE ALJ'S  
RULING UNDER SEAL**

Pursuant to Rules 11.1 and 11.4 of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission” or “CPUC”), Southern California Edison Company (“SCE”) respectfully files this Motion for Leave to File Confidential Workpapers in Response to the Administrative Law Judge’s Ruling, dated July 9, 2018, Under Seal (“Motion”).

Concurrently with this Motion and in accordance with the Administrative Law Judge’s Ruling, dated July 9, 2018 (“ALJ’s Ruling”), SCE is filing its Responses to the ALJ’s Ruling.<sup>1</sup> SCE moves the Commission for an order granting leave to file the confidential version of SCE’s Responses to the ALJ’s Ruling under seal.

This Motion is made pursuant to Decision (“D.”) 06-06-066 and Public Utilities Code Section 454.5(g). As explained in Section I below, the Matrix of Allowed Confidential Treatment Investor Owned Utility Data (“Matrix”) appended to D.06-06-066 provides that the

---

<sup>1</sup> SCE is submitting a confidential and a public redacted version of its Responses to the ALJ’s Ruling.

confidential information included in the Confidential Workpapers is confidential, market sensitive information, and therefore must be protected from public disclosure. Additionally, the confidential information included in SCE's Response to the ALJ's Ruling is market sensitive information that is protected from disclosure by Public Utilities Code Section 454.5(g).

## I.

### **INFORMATION PROVIDED IN SCE'S CONFIDENTIAL WORKPAPERS IN RESPONSE TO ALJ'S RULING IS PROTECTED UNDER THE MATRIX IN D.06-06-066 AND PUBLIC UTILITIES CODE SECTION 454.5(G)**

In D.06-06-066, the Commission set forth the standard for designating information as confidential in Commission proceedings. As part of the decision, the Commission established the Matrix, which identifies several categories of data and the level of confidentiality granted to each category. Specifically, in D.06-06-066, the Commission stated that “[w]here a party seeks confidentiality protection for data contained in the Matrix, its burden shall be to prove that the data match the Matrix category. Once it does so, it is entitled to the protection the Matrix provides for that category.”<sup>2</sup> The Commission clarified how parties should comply with the Matrix in D.08-04-023.<sup>3</sup>

Additionally, Public Utilities Code Section 454.5(g) requires the Commission to maintain the confidentiality of “market sensitive information.” It provides: “The commission shall adopt appropriate procedures to ensure the confidentiality of any market sensitive information submitted in an electrical corporation’s proposed procurement plan or resulting from or related to its approved procurement plan, including, but not limited to, proposed or executed power purchase agreements, data request responses, or consultant reports, or any combination, provided

---

<sup>2</sup> D.06-06-066 at Ordering Paragraph 2.

<sup>3</sup> See D.08-04-023 at pp. 20-24.

that the Office of Ratepayer Advocates and other consumer groups that are nonmarket participants shall be provided access to this information under confidentiality procedures authorized by the commission.”

As discussed above, SCE is requesting that the confidential version of SCE’s Responses to the ALJ’s Ruling be sealed because it includes information that is confidential pursuant to the Matrix. In addition, it includes information that is confidential pursuant to Public Utilities Code Section 454.5(g). SCE offers the following table, which identify the information SCE requests be sealed and the basis for SCE’s assertions.

<b>Location/Title of Data</b>	<b>Matrix Category</b>	<b>Limitations on Confidentiality Specified in the Matrix</b>
Workpapers containing economic evaluation information on Coso Termination Agreement	<p>Matrix Section VII(F)(G) – “Bilateral Contract Terms and Conditions – Electric – Renewable Resource Contracts under RPS program - Contracts with Supplemental Energy Payments (SEPs) and Renewable Resource Contracts under RPS program - Contracts without SEPs</p> <p>Matrix Section VII(H) – “Bilateral Contract Terms and Conditions – Electric – Score sheets, analyses, evaluations of proposed RPS projects”</p>	<p>Contract summaries public, including counterparty, resource type, location, capacity, expected deliveries, delivery point, length of contract and online date.</p> <p>Other terms confidential for three years, or until one year following expiration, whichever comes first.</p> <p>Confidential for three years.</p>

**II.**

**CONCLUSION**

For all the foregoing reasons, SCE respectfully moves the Commission for an order directing that the confidential, market sensitive information appearing in the confidential version of SCE's Response to the ALJ's Ruling, which has been redacted in the public version, shall be placed under seal and shall not be made accessible or disclosed to anyone other than Commission staff.

Respectfully submitted,

JANET S. COMBS  
CAROL SCHMID-FRAZEE  
CRYSTAL NEEDHAM

*/s/ Carol Schmid-Frazee*

By: Carol Schmid-Frazee

Attorneys for  
SOUTHERN CALIFORNIA EDISON COMPANY

2244 Walnut Grove Avenue  
Post Office Box 800  
Rosemead, California 91770  
Telephone: (626) 302-1337  
Facsimile: (626) 302-1935  
E-mail: Carol.SchmidFrazee@sce.com

July 19, 2018

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

Application of Southern California Edison  
Company (U 338-E) for Approval of the Coso  
Termination Agreement.

Application No. 18-03-010

**[PROPOSED] RULING**

On July 19, 2018, Southern California Edison Company (“SCE”) filed a Motion for Leave to File the Confidential Version of its Response to the ALJ’s Ruling Under Seal (the “Motion”). In accordance with the Rules of Practice and Procedure, the California Public Utilities Commission (“Commission”) has considered SCE’s Motion. This ruling grants SCE’s Motion.

Accordingly, it is ORDERED that:

1. SCE’s Motion is granted. The Confidential Information that SCE seeks to protect is protected by the Matrix in Decision 06-06-066 and Public Utilities Code Section 454.5(g).

2. The Confidential Information, which confidential version has been submitted under seal, shall remain under seal and shall not be made accessible or disclosed to anyone other than Commission staff except pursuant to protective order or ruling of the Commission, the assigned Administrative Law Judge (“ALJ”) or the ALJ then designated as Law and Motion Judge.

Dated \_\_\_\_\_, 2018, at San Francisco, California.

\_\_\_\_\_  
Administrative Law Judge