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

Order Instituting Rulemaking to Continue
Implementation and Administration of California
Renewables Portfolio Standard Program.

Rulemaking 11-05-005

**CONFIDENTIALITY DECLARATION
FOR YEAR 2012 RENEWABLES PORTFOLIO STANDARD PROCUREMENT
PLAN OF
NOBLE AMERICAS ENERGY SOLUTIONS LLC**

The 2012 Renewables Portfolio Standard Procurement Plan (“Procurement Plan”), which is the subject of this confidentiality declaration, has been submitted to Commission staff, as well as the presiding administrative law judge for the above-captioned proceeding, pursuant to the RPS reporting requirements established in Commissioner Ferron’s Ruling.¹ In addition, a redacted (public) version of the report has been served on the parties to the above-captioned proceeding.

Certain information contained in the subject Procurement Plan, as specified herein, is eligible for confidentiality treatment under the provisions of D.06-06-066 and the “Matrix of Allowed Confidential Treatment Energy Service Provider (ESP) Data” adopted in the aforesaid decision, as modified in D.08-04-023. In contrast to other RPS obligated entities, which typically own or wholly control the output of a significant portion of the generation resources that are used to meet their customers’ electricity requirements and associated resource adequacy (capacity) requirements, at this time Noble Americas Energy Solutions LLC (hereinafter referred to as “Noble Solutions”) does not currently own or wholly control the output of any generation facility that serves the electricity and/or associated resource adequacy requirements of its customers in California. Therefore, Noble Solutions’ “net short”, which is confidential under the ESP

¹ *Assigned Commissioner’s Ruling Identifying Issues And Schedule Of Review For 2012 Renewables Portfolio Standard Procurement Plans Pursuant To Public Utilities Code Sections 399.11 et seq. And Requesting Comments On New Proposals*, April 5, 2012.

Matrix as modified in D.08-04-23, may be essentially the same as its total retail sales in any given year, or could readily be derived for the year by comparing its total retail sales with its supply data (MWh) and resource mix data (MWh). With this fact in mind, the undersigned declarant hereby verifies that the following RPS-related compliance data² is confidential and the Commission is obligated to protect it so as to avoid material harm to Noble Solutions and its customers:

Description of Data	Spreadsheet Location	D.06-06-066 Requirements	Explanation
Forecasted RPS Compliance Obligation	<i>APPENDIX - Procurement (MWh):</i> Cells B8-E8	Demonstrate that submitted material constitutes type of data listed in the Matrix.	Noble Solutions' net short is equivalent to its retail sales minus procured supplies.
		Identify the Matrix category (or categories) to which data correspond.	I.B
		Affirm compliance with limitations on confidentiality specified in the Matrix.	Consistent with the Matrix, Noble Solutions requests that its prior year's retail sales and the first three years of its forecasted retail sales be kept confidential so as not to reveal its net short.
		Affirm information is not already public.	This information is not already public.
		State whether data can be protected in a way that would allow partial disclosure.	Aggregated data of all ESPs could be made public without serious risk of harm.

² Not all cells referenced in the table are necessarily redacted, as they may not contain any data.

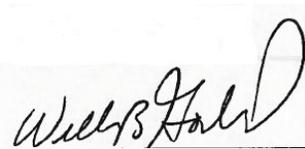
Description of Data	Spreadsheet Location	D.06-06-066 Requirements	Explanation
Forecasted Obligation	<i>APPENDIX - RPS Cumulative Procurement Summary,</i> Cell C21, C23, C24, C25, C27, C29, C30, and C31.	Demonstrate that submitted material constitutes type of data listed in the Matrix.	Noble Solutions' Forecasted Obligation is derived by a formula that is linked to retail sales; disclosure of the Forecasted Obligation would reveal Noble Solutions' retail sales and net RPS positions.
		Identify the Matrix category (or categories) to which data correspond.	I.B
		Affirm compliance with limitations on confidentiality specified in the Matrix.	Consistent with the Matrix, Noble Solutions requests that information that would reveal the first three years of its forecasted retail sales be kept confidential so as not to reveal its net short.
		Affirm information is not already public.	This information is not already public.
		State whether data can be protected in a way that would allow partial disclosure.	Aggregated data of all ESPs could be made public without serious risk of harm.

Description of Data	Spreadsheet Location	D.06-06-066 Requirements	Explanation
Actual Long/(Short)	<i>APPENDIX - RPS Cumulative Procurement Summary:</i> Cell H21, H23, H24, H25, H27, H29, H30, and H31.	Demonstrate that submitted material constitutes type of data listed in the Matrix.	Noble Solutions' RPS net short. Knowing net short can be used to calculate Noble Solutions' retail sales.
		Identify the Matrix category (or categories) to which data correspond.	I.B
		Affirm compliance with limitations on confidentiality specified in the Matrix.	Consistent with the Matrix, Noble Solutions requests that its prior year's retail sales and the first three years of its forecasted retail sales be kept confidential so as not to reveal its net short.
		Affirm information is not already public.	This information is not already public.
		State whether data can be protected in a way that would allow partial disclosure.	Aggregated data of all ESPs could be made public without serious risk of harm.
Expected Long/(Short)	<i>APPENDIX - RPS Cumulative Procurement Summary:</i> Cell J21, J23, J24, J25, J27, J29, J30, and J31.	Demonstrate that submitted material constitutes type of data listed in the Matrix.	Noble Solutions' RPS net short. Knowing net short can be used to calculate Noble Solutions' retail sales.
		Identify the Matrix category (or categories) to which data correspond.	I.B

Description of Data	Spreadsheet Location	D.06-06-066 Requirements	Explanation
		Affirm compliance with limitations on confidentiality specified in the Matrix.	Consistent with the Matrix, Noble Solutions requests that its prior year's retail sales and the first three years of its forecasted retail sales be kept confidential so as not to reveal its net short.
		Affirm information is not already public.	This information is not already public.
		State whether data can be protected in a way that would allow partial disclosure.	Aggregated data of all ESPs could be made public without serious risk of harm.

I declare under penalty of perjury that the aforesaid is true of my own knowledge, except as to matters that are stated on information or belief, which statements I believe to be true.

Executed on May 23rd, 2012 at San Diego, CA.



William B. Goddard
Vice President – Commodity Supply & Ops
Noble Americas Energy Solutions LLC
401 West A Street, Suite 500
San Diego, CA 92102