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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Regarding Policies, Procedures and Rules for Development of Distribution Resources Plans Pursuant to Public Utilities Code Section 769.	Rulemaking 14-08-013
And Related Matters.	Application 15-07-002 Application 15-07-003 Application 15-07-006
(NOT CONSOLIDATED)	
In the Matter of the Application of PacifiCorp (U901E) Setting Forth its Distribution Resource Plan Pursuant to Public Utilities Code Section 769.	Application 15-07-005
And Related Matters.	Application 15-07-007 Application 15-07-008

ADMINISTRATIVE LAW JUDGE'S RULING ADDRESSING PACIFIC GAS AND ELECTRIC COMPANY, SOUTHERN CALIFORNIA EDISON COMPANY, AND SAN DIEGO GAS & ELECTRIC COMPANY'S CLAIMS FOR CONFIDENTIAL TREATMENT AND REDACTION OF DISTRIBUTION SYSTEM PLANNING DATA ORDERED BY DECISIONS 17-09-026 AND 18-02-004

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Summary

This Administrative Law Judge's Ruling (*Ruling*) addresses Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company's separate motions for confidential treatment and redaction of distribution system planning data ordered by Decisions 17-09-026 and 18-02-004. As I explain in greater detail below, and in the attachments:

1. The request to treat individual customer energy usage as private is granted. This information shall be redacted from the online maps. Instead, information regarding customer energy usage shall be presented in aggregate form in the manner described in this *Ruling*.
2. This *Ruling* clarifies the term Facility ID appears alongside the words "substation" and "circuit" in Decision 18-02-004 to identify the "location and system granularity of grid need" in their GNAs. Whereas "substation" and "circuit" refer to generally recognized levels of distribution system granularity, "Facility ID" is included as an umbrella term that includes substations and circuits, but is neutral with respect to the granularity at which the grid need arises. The IOUs shall not redact Facility ID information unless it satisfies another criterion for which redaction is granted in this *Ruling*.
3. This *Ruling* adopts uniform criteria for identifying data that should be classified as critical electrical infrastructure information for redaction purposes. It will be incumbent on each Investor-owned Utility to show that every data set it wishes to redact fits within the criteria.
4. This *Ruling* adopts a protocol for permitting interested stakeholders to seek leave for permission to be given access to Facility Identification information, and/or critical electrical

infrastructure information, that has been redacted in accordance with the protocols established herein.

5. Finally, for the reasons set forth herein, this *Ruling* rejects the attempts to redact information that the Investor-owned Utilities deemed market sensitive.

1. Background

The Commission opened this rulemaking to establish policies, procedures, and rules for the development of Distribution Resources Plan (DRP) proposals in accordance with Assembly Bill 327.

The Commission issued Decision (D.) 17-09-026 on *Track 1 Demonstration Projects A (Integration Capacity Analysis [ICA]) and B (Locational Net Benefits Analysis [LNBA])*. D.17-09-026 adopted, as part of Demonstration Project A, the iterative methodology for the online maps and interconnection streamlining. Ordering Paragraph (OP) 5 directed Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E) (collectively referred to as the investor-owned utilities (IOUs)) to include identified system attributes on the online ICA maps.

D.18-02-004 addressed *Track 3 Policy Issues, Sub-Track 1 (Growth Scenarios), and Sub-Track 3 (Distribution Investment and Deferral Process [DIDF])*, and established a distribution resources planning process that requires the IOUs to expand their annual distribution resource planning process to include a DIDF. As part of the DIDF, the Commission ordered the IOUs to file two new reports—a Grid Needs Assessment (GNA), which documents the forecasting assumptions; and a Distribution Deferral Opportunities Report (DDOR), which must document the planned investments and candidate deferral opportunities. D.18-02-004, OP 2.e., also required the GNA and DDOR to provide a characterization of circuits according to data types and attributes described in

Section 3.4.1, and that such data be made publicly available in an online map form, as a pop-up layer atop the circuit models being developed for the ICA, and in downloadable, machine-readable datasets.

But the IOUs have previously raised concerns about the confidentiality and physical and cyber security attendant to the information that D.17-09-026 and D.18-02-004 require to be made publicly available. For example, at the December 16, 2016 workshop, the IOUs presented the following list of potentially market-sensitive information:

- Actual costs of conventional distribution infrastructure projects under consideration for deferral;
- Location- and/or customer-specific confidential forecasts of load and resources;
- IOU proprietary projections and modeling outputs;
- Precise technical calculations in determining which conventional projects can be deferred and for how long;
- Technical and financial evaluation of Distributed Energy Resources (DER) technologies as alternatives to distribution investments;
- Comparative cost of solutions including the cost of conventional infrastructure;
- An assessment of DERs' effectiveness in providing distribution functions; and
- Discussions regarding where, when, and how to pursue alternative solutions.¹

I must, of course, balance the claimed need to redact information on confidentiality and/or physical and cyber security grounds against stakeholders'

¹ D.18-02-004 at 53-54.

need for access to distribution system and planning data, which stakeholders claim is essential to enable them to evaluate GNA and DDORs, as well as for customers and third party providers to deploy DERs and offer services in support of optimized grid operations.

2. Tier 2 Advice Letters

Initially, this proceeding sought to address the confidentiality and security concerns through an advice letter protocol. D.18-02-004 included OP 2.g., which ordered the IOUs to file Tier 2 advice letters that proposed DRP data redaction criteria that work to ensure the physical and cyber security of the electric system and reflect the customer privacy provisions established in Decision (D.) 14-05-016.² Unfortunately, the Tier 2 Advice Letters that the IOUs filed on April 16, 2018 did not make that requisite showing. As pointed out in the protests,³ and as confirmed by the Assigned Administrative Law Judge's (ALJ) analysis, the Tier 2 Advice Letters were inconsistent and deficient both in their identification of allegedly protected classes of data, as well as in their identification of the data redaction criteria that they proposed to utilize.

3. The June 8, 2018 Assigned ALJ Ruling

As a result of the deficiencies in the IOUs' Tier 2 Advice Letters, I issued a ruling on June 8, 2018 entitled *Administrative Law Judge's Ruling Ordering Pacific*

² *Decision Adopting Rules to Provide Access to Energy Usage and Usage-Related Data While Protecting Privacy of Personal Data*, issued in Rulemaking 08-12-009 (Order Instituting Rulemaking to Consider Smart Grid Technologies Pursuant to Federal Legislation and on the Commission's own Motion to Actively Guide Policy in California's Development of a Smart Grid System).

³ On May 7, 2018, the following parties filed protests to the IOUs' Tier 2 Advice Letters: California Energy Storage Alliance (CESA); Clean Coalition; Interstate Renewable Energy Council, Inc. (IREC); The Office of Ratepayer Advocates (ORA); Solar Energy Industries Association (SEIA); and Sunrun, Inc.

Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company to File Separate Motions for Confidential Treatment and Redaction of Distribution System Planning Data Ordered by Decisions 17-09-026 and 18-02-004 (June 8, 2018 Ruling). As part of their filings, each IOU was ordered to submit a matrix that identified: (1) the data category; (2) any data subcategory; (3) the factual basis for redacting this data category or data subcategory; (4) the legal basis for the redaction; and (5) an explanation of how the data redaction criteria applies to this data category or data subcategory.⁴

4. The IOUs' Motions

On June 15, 2018, the IOUs filed their separate motions accompanied by the required matrices. Each IOU proposed to redact (1) individual customer energy usage; (2) Facility Identification (Facility ID); (3) Critical Energy Infrastructure Information (CEII); and (4) market sensitive information. Each motion quoted supportive legal authorities and included citations to other Commission decisions that are arguably supportive of their respective positions. As part of their rationale for redacting information to protect against physical and/or cyber security attack, both SCE and SDG&E cite to Government Code § 6255(a) which provides a pathway for withholding records from inspection where the information is either exempt or where “on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.” Finally, as ordered, each motion was accompanied by a matrix that, as this *Ruling* will explain, conformed with the spirit, if not always the actual intent, of the *June 8, 2018 Ruling*.

⁴ *June 8, 2018 Ruling* at 10-11.

In keeping with their previous advice letters, each IOU had materially different philosophies and approaches to identifying and handling CEII. For example, PG&E states that it is not requesting that categories of distribution planning data previously identified in its April 16, 2018 Tier 2 Advice Letter 5276-E be designated as security-sensitive at this time.⁵ Instead, PG&E proposes to employ a case-by-case evaluation process where PG&E will screen third-party requests for access to its distribution planning data to ensure that the users of the data are using it for a legitimate, non-security-sensitive use, and are capable of protecting the data from misuse by other third parties or the public.⁶

SCE proposes, on a case-by-case basis, to redact Facility ID information from its GNA on physical security grounds.⁷ SCE further proposes to deem confidential and redact information to the extent necessary to protect information designated as CEII.⁸ Finally, SCE no longer proposes to redact its “Equipment Rating” and “Forecasted Percentage Deficiency Above the Equipment Rata” data sets, which it had previously requested confidential treatment of in SCE’s April 16, 2018 Tier 2 Advice Letter 3786-E.⁹ Upon further review, SCE realized it had made this type of information public in a context it had not considered when proposing its initial redaction criteria.¹⁰

⁵ PG&E’s Motion at 8.

⁶ *Id.*

⁷ SCE’s Motion at 6.

⁸ *Id.* at 7.

⁹ *Id.* at 9.

¹⁰ *Id.*

SDG&E goes further than PG&E and SCE, and similar to its April 16, 2018 Tier 2 Advice Letter 3210-E, identifies the following CEII data subcategories: circuit connectivity/conductor routing displayed in DRP portal, equipment rating/information, substation/circuit load data and profiles, mapping information for all identified distribution grid needs, application programming interface (API) broad requirement, and forecasted deficiency above the existing facility equipment rating over five years.¹¹ SDG&E asserts that these proposed redactions are necessary to prevent the identification and exploitation of system vulnerabilities.¹²

5. The Responses

On June 22, 2018, CESA, Clean Coalition, IREC, ORA, and SEIA filed their responses. While the responses did not dispute the need to protect individual customer data usage information, they questioned the factual and legal showings that the IOUs made regarding the desire to redact Facilities ID, CEII, and market-sensitive information. With respect to CEII, the responses argue that the IOUs' reliance on Government Code § 6255(a) is an insufficient ground for redacting CEII as they fail to set forth, as required by General Order (GO) 66-D, the "granular specificity on the facts of the particular information why the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record." While the responses acknowledged that some information might need to be redacted for physical and/or cyber security protection, they asked that the Commission articulate consistent criteria so that

¹¹ SDG&E's Motion at 4.

¹² *Id.*

they, and the Commission, can determine if an identified CEII category would be properly subject to redaction.¹³ Responders also asked that the Commission establish a process whereby they could execute a non-disclosure agreement (NDA) in order to gain access to redacted CEII data.¹⁴

6. Discussion

6.1. Redaction of Information on Individual Customer Privacy Grounds

This is the redaction category where the parties are largely in agreement.¹⁵ A review of prior Commission decisions and statutory authority reveals a clear recognition of the need to protect customer privacy regarding their energy usage from public disclosure. For example, Pub. Util. Code § 8380(d) states that an “electrical corporation or gas corporation shall use reasonable security procedures and practices to protect a customer’s unencrypted electrical or gas consumption data from unauthorized access, destruction, use, modification, or disclosure.” In response to that legislative directive, the Commission in D.14-05-016 set forth the following definitions to refine the scope of customer privacy: First, there is “anonymous data”:

Anonymous data is defined as customers’ energy usage and usage-related data (such as, billing, program participation, or account information) at the

¹³ See CESA’s Response at 3; Clean Coalition’s Response at 3-4; and IREC’s Response at 5-6.

¹⁴ See CESA’s Motion at 4-5; and SEIA’s Response at 5-6.

¹⁵ See ORA’s Response at 3-4. SEIA does question whether the NDA process will only apply to CEII redacted for physical and/or cyber security grounds, or will it also apply to data redacted on customer privacy grounds. (SEIA’s Response at 5.) The question need not be resolved at this time as SEIA, or any other party, would be within its right to file a motion explaining why it needs customer privacy information, how it will be used, and why the aggregated customer usage information is insufficient.

level of individual customers, scrubbed or altered such that an individual customer cannot reasonably be re-identified.¹⁶

Second, there is “covered information”:

Covered information is defined as any usage information obtained through the use of the capabilities of AMI when associated with any information that can reasonably be used to identify an individual, family, household, residence, or non-residential customer, except that covered information does not include usage information from which identifying information has been removed such that an individual, family, household or residence, or nonresidential customer cannot reasonably be identified or re-identified. Covered information, however, does not include information provided to the Commission pursuant to its oversight responsibilities and statutory obligations.¹⁷

Third, there is “personal information”:

“Personal information” is defined as any information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Personal information does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.¹⁸

¹⁶ D.14-05-016, Finding of Fact (FOF) # 5.

¹⁷ D.14-05-016, Finding of Fact (FOF) 6.

¹⁸ D.14-05-016, FOF 7.

Finally, while individual customer energy usage is confidential, there is still some public use in making customer energy usage available in an aggregate format. As such, D.14-05-016 defined “aggregated data”:

Aggregated data is defined as customers’ energy usage and usage-related data (such as, billing, program participation, or account information) that has been summed, averaged, or otherwise processed such that the result does not contain information at the level of individual customers and an individual customer cannot reasonably be re-identified.¹⁹

I have set forth these varying definitions in order to ensure that individual customer energy usage receives the widest possible protection against disclosure.

In conclusion, the request to redact information to protect the privacy of a customer’s identifiable energy usage is granted in accordance with Pub. Util. Code § 8380(b) (1) and (d) and with the definitions of “covered information” and “personal information” set forth in D.14-05-016. Data that includes distribution load, energy usage, or demand data at a local geo-spatial level shall be anonymized and aggregated to meet customer privacy requirements in accordance with Pub. Util. Code § 8380(e) (1). The IOUs shall use the 15/15 Rule (*i.e.* information in a data set should be made up of at least 15 customers, and a customer’s load must be less than 15% of an aggregation category) that the Commission established in D.97-10-031 and D.14-05-016 for data in the ICA, LNBA, GNA, and DDOR. With respect to ICA, if the circuit level passes the 15/15 Rule but the line section does not, the IOUs shall aggregate the ICA results to the circuit level for display in the online maps and datasets.

¹⁹ D.14-05-016, FOF # 8.

Stakeholders shall use the basic registration and log-in process to review the public DRP data with the customer privacy information redacted.

6.2. Facility ID

In response to the request that the Commission clarify what is meant by Facility ID,²⁰ it is useful to recall the context in which these words appear in D.18-02-004 (emphasis added):

The GNA will present a report of the grid needs that result from the annual distribution planning process. Each grid need shall be characterized by the following attributes:

1. Substation, Circuit, and/or **Facility ID**: identify the location and system granularity of grid need.²¹

The term Facility ID appears alongside the words “substation” and “circuit” as part of the Commission’s direction to IOUs to identify the “location and system granularity of grid need” in their GNAs. Whereas “substation” and “circuit” refer to generally recognized levels of distribution system granularity, “Facility ID” is included as an umbrella term that includes substations and circuits, but is neutral with respect to the granularity at which the grid need arises.

This approach recognizes not only that grid needs may arise at levels other than the substation or circuit, but also that the topologies of different IOUs may lend themselves to different categories of granularity. The direction that IOUs provide Facility ID means that IOUs should provide information that identifies the level of granularity at which each identified grid need arises along with its location.

²⁰ See IREC’s Response at 8-9.

²¹ D.18-02-004 at 36.

The specificity of the locational information provided in GNAs should mirror the granularity of the identified need. For example, if a grid need arises at the level of a circuit, information that identifies the location of the circuit is sufficiently specific for the purposes of satisfying this GNA requirement. The IOUs shall not redact Facility ID information unless it satisfies another criterion for which redaction is granted in this *Ruling*.

6.3. Critical Energy Infrastructure Information (CEII)

This is the data redaction category that has caused the most consternation for the responders. The IOUs have identified different data subcategories, as well as different criteria and legal rationales to justify their proposed redactions.²² In light of these varying approaches and rationales, it will be necessary to articulate consistent redaction criteria and to establish a process by which stakeholders can seek to gain access to data categories and data subcategories that fall under the CEII definition.

But before arriving at that outcome, it is necessary that I discuss and acknowledge the importance that both the Federal Government and this Commission have placed on the need to ensure safeguards are in place to protect CEII data categories and data subcategories against physical and/or cyber security attacks. This background information will also help ensure that no aspect of this Ruling conflicts with the laws already promulgated to protect CEII.

Following the domestic terrorist attack on September 11, 2001, the Federal Energy Regulatory Commission (FERC) began to take steps to protect

²² See PG&E's Motion at 8-9; SCE's Motion at 6-7; and SDG&E's Motion at 4-5.

information that was considered CEII.²³ On February 21, 2003, FERC issued a final rule amending its regulations to establish procedures for protecting and accessing CEII, which it defined as information that:

- Relates details about the production, generation, transportation, transmission, or distribution of energy;
- Could be useful to a person in planning an attack on critical infrastructure;
- Is exempt from mandatory disclosure under the Federal Freedom of Information Act (5 U.S.C. § 552); and
- Does not simply give the general location of the critical infrastructure.²⁴

On December 4, 2015, President Obama signed the Fixing America's Surface Transportation (FAST) Act into law.²⁵ Although the FAST Act is a federal transit spending law, it also added section 215A to the Federal Power Act (FPA) to improve the security and resilience of energy infrastructure in the face of emergencies.

On November 17, 2016, FERC issued Order No. 833, which amended its CEII Regulations to implement the provisions of the FAST Act that pertain to the designation, protection, and sharing of CEII. FPA, Section 215(d)(2), required FERC to promulgate regulations necessary to establish criteria and procedures to

²³ See *Statement of Policy on Treatment of Previously Public Documents*. 66 Fed. Reg. 52,917 (October 18, 2001), 97 FERC ¶ 61,130 (2001), cited in FERC Order No. 702 Final Rule (October 30, 2007) at fn. 2.

²⁴ See *Critical Energy/Electric Infrastructure Information Regulations*. February 23, 2017. Christopher MacFarlane, FERC Office of General Counsel.

²⁵ H.R. 22, 114th Cong. (2015). Pub. L. No. 114-94, section 61,003, 129 Stat. 1312, 1773-1779 (2015) (codified at 16 U.S.C. 8240-1).

designate information as CEII.²⁶ FPA, Section 215A(a)(3), defined CEII as follows:

Information related to critical electric infrastructure, or proposed critical electrical infrastructure, generated by or provided to the Commission or other Federal agency other than classified national security information, that is designated as critical electric infrastructure information by the Commission or the Secretary of the Department of Energy pursuant to subsection (d). Such term includes information that qualifies as critical energy infrastructure information under the Commission's regulations.

Other amendments of note that are relevant to this proceeding is that the new CEII regulations:

- Provide a process for requesting CEII treatment of information;
- Provide an administrative appeals process to challenge CEII designations or disclosures; and
- Provide a process for the public to request access to CEII by submitting a detailed statement of need and executing a NDA.

But FERC is not the only federal agency tasked with protecting CEII. *Homeland Security Presidential Directive 7* (December 17, 2003) established a national policy for federal departments and agencies to identify and prioritize United States critical infrastructure and key resources, and to protect them from terrorist attacks. Critical infrastructure was defined as follows:

The term "critical infrastructure" has the meaning provided in section 1016(e) of the USA Patriot Act of 2001 (42 U.S.C. § 5195c(e)),

²⁶ *Regulations Implementing FAST Act Section 61003—Critical Electric Infrastructure Security and Amending Critical Energy Infrastructure Information, Availability of Certain North American Electric Reliability Corporation Databases to the Commission.* Order No. 833, 157 FERC ¶ 61, 123 (2016).

namely systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.

The Department of Homeland Security (DHS) is the agency responsible for coordinating the overall national effort.

Presidential Policy Directive 21 (February 12, 2013) superseded *Homeland Security Presidential Directive 7* and identified 16 critical infrastructure sectors (one of which includes energy) “whose assets, systems, and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, national public health or safety, or any combination thereof.”

I highlight these regulations and directives from FERC and DHS as they underscore the United States’ strong public policy to protect CEII against physical and/or cyber security attacks, and any ruling from this Commission must be cognizant of that policy. The regulations and directives from FERC and DHS also aid our understanding of the scope of CEII, and provide guidance to the Commission in developing a ruling that adopts consistent criteria for determining CEII, safeguarding information from physical and/or cyber security attacks, and providing a process for stakeholders to request access to redacted CEII.

The need to protect CEII from physical and/or cyber security attack or infiltration has also been a high priority for the Commission. On June 11, 2015, the Commission approved Order Instituting Rulemaking (R.) 15-06-009 to establish policies, procedures, and rules for the regulation of physical security

risks to the electric distribution facilities of electrical corporations. The Commission opened R.15-06-009 in compliance with Pub. Util. Code § 364(a) which states:

The commission shall adopt inspection, maintenance, repair, and replacement standards, and shall, in a new proceeding, or new phase of an existing proceeding, to commence on or before July 1, 2015, consider adopting rules to address the physical security risks to the distribution systems of electrical corporations. The standards or rules, which shall be prescriptive or performance based, or both, and may be based on risk management, as appropriate, for each substantial type of distribution equipment or facility, shall provide for high-quality, safe, and reliable service.

The *Assigned Commissioner's Phase I Scoping Memo and Ruling* dated March 10, 2017, identified a number of issues for resolution, one of which I consider most relevant to this *Ruling*:

What new rules or standards or modifications to existing policies should the Commission consider to allow for adequate disclosure of information to the public without disclosing sensitive information that could pose a physical security risk or threat if disclosed?

To date, the Commission has not adopted a decision from R.15-06-009 that addresses the above issue. In the event the Commission adopts a disclosure protocol, I will review the decision to determine if there are any conflicts or inconsistencies that must be reconciled and provide the parties with an opportunity to comment.

A second open Commission proceeding worth noting is R.14-11-001. Opened on November 14, 2014, R.14-11-001 looks to improve public access to public records pursuant to the California Public Records Act. The Commission adopted D.17-09-023 which created GO 66-D, superseding GO 66-C, and established procedures for: (1) the submission of information to the Commission

with claims of confidentiality; (2) the submission of request per the California Public Records Act; and (3) the release of any Information by the Commission. With respect to formal proceedings, Section 3.3 of GO 66-D requires the information submitter file a motion for treatment of confidentiality pursuant to Rule 11.4, or comply with a process established by the ALJ for that specific proceeding. But allowing the redaction of information that might be subject to physical and/or cyber security attack has not yet been scoped in as part of that proceeding. It is, of course, possible that either the parties or the assigned Commissioner might expand the scope of the proceeding to encompass CEII and what would be the appropriate redaction criteria. If and/or when that happens and the Commission issues a decision, I will review that decision for consistency with this *Ruling*.

It is with the above backdrop that I address the IOUs' claims that certain categories or subcategories of CEII data should be redacted to safeguard it from physical and/or cyber security attacks. Generally, the IOUs' Motions failed to provide the necessary granularity and consistency that would allow me to rule, with confidence, that any of the identified data categories and subcategories should be redacted. For example, SDG&E proposes to redact six categories of information in order to prevent the identification and exploitation of system vulnerabilities.²⁷ Such generalities hardly amount to the granularity required by GO 66-D. Moreover, as I point out in the Ruling column in the attached matrix, the information SDG&E proposes to redact is either publically available (*e.g.* data on circuits, substations, equipment available through existing interconnection

²⁷ SDG&E's Motion at 4.

and ICA resources, maps, spreadsheets, and data sets), or is needed by stakeholders to help them understand the planning process and opportunities for DERs to provide grid services.

SCE's showing is even more opaque than SDG&E's. SCE requests authority to redact CEII due to the claimed security risks but fails to identify any data categories.²⁸ Instead, SCE asserts that data will be evaluated on a case-by-case basis.²⁹ As SCE, as well as the other IOUs, have been given two opportunities to provide the specificity needed to inform the parties, the assigned Commissioner, and myself as to what data SCE proposes to redact, its failure to comply with my directive is inexcusable.

This same generalized factual showing permeates PG&E's Motion. PG&E states that it is not requesting that the categories of distribution planning data be designated as security-sensitive at this time.³⁰ Instead, like SCE, PG&E proposes to perform a case-by-case evaluation of security-sensitive uses of distribution planning data.³¹ But if PG&E is unwilling or unable to meet the requirements of my *June 8, 2018 Ruling* and GO 66-D now, I do not know if PG&E will ever be in a position to do so in the future.

Due to the IOUs' failure to articulate uniform and specific criteria for identifying CEII that would merit redaction from the public version of the DRP maps, I must develop my own criteria. In doing so, I have considered the definitions of critical infrastructure articulated by Congress and the President

²⁸ SCE's Motion at 7.

²⁹ *Id.*

³⁰ PG&E's Motion at 8.

³¹ *Id.*

and made applicable to FERC and DHS. I have also considered the overriding objective to any CEII redaction to prevent the public dissemination of information that could constitute a physical and/or cyber security risk.

But while the FERC and DHS definitions have provided me with a broad framework, I have determined that I need criteria that are more specifically tailored to the IOUs' energy operations in California. As a result, this *Ruling* adopts the seven different examples of Distribution Facility, set forth in the *Joint Parties' Filing of Updated Draft Straw Proposal for Physical Security Regulations*, that was filed on August 31, 2017 in R.15-06-009. It will be incumbent on each IOU that wishes to redact CEII from the public version of the DRP maps to demonstrate that the redacted information fits within one or more of the following examples:

- (1) Distribution Facility necessary for crank path, black start, or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator's operational control and/or subject to North American Electric Reliability Corporation Reliability Standard CIP-014-2 or its successors;
- (2) Distribution Facility that is the primary source of electrical service to a military installation essential to national security and/or emergency response services (may include certain air fields, command centers, weapons stations, emergency supply depots);
- (3) Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);
- (4) Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff's department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);

- (5) Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing);
- (6) Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development; and
- (7) Distribution Facility that serves over 60,000 meters.

CEII that fits within one or more of the above examples may be redacted in the public version of the DRP maps.

To the extent stakeholders contend that they need access to the CEII that has been redacted in the public version of the DRP maps, I adopt FERC's approach and will require interested stakeholders to file a motion in this proceeding with the Assigned ALJ, demonstrating the specific information needed, why that information cannot be obtained from another source, and how the information will be used. Commission staff will coordinate with the IOU(s) to arrange an inspection of the requested data that is maintained by the IOU(s), and will make a recommendation to the assigned ALJ, the assigned Commissioner, and pertinent Commission staff. If the motion is granted, the interested stakeholders shall enter into a NDA with the appropriate IOU (*see* the Model NDA attached as Attachment B to D.14-05-016.)

6.4. Market-Sensitive Information

The request to redact information that is deemed market sensitive is denied. In D.18-02-004, Ordering Paragraph 2.q., this Commission ordered that actual cost of distribution system upgrades be considered public information as part of the ongoing DIDF, and in associated DRP tools such as the LNBA.

Even if the Commission hadn't previously rejected this market-sensitivity argument, I would deny the IOUs' request on procedural grounds. OP 2.g. of

D.18-02-004 related to the establishment of redaction criteria to ensure the physical and cyber security of the electric system and reflect the customer privacy provision established in D.14-05-016, and the *June 8, 2018 Ruling* followed those strictures. Thus, information that may be protected by a claim of market sensitivity was not contemplated by the *June 8, 2018 Ruling*.

Finally, even if the question of market-sensitive information was properly before the Commission at this time, the request is denied on substantive grounds. There is an inadequate showing that the information sought to be redacted meets the definition of trade secrets set forth in Government Code § 6254.7(d).³² Nor is there any showing that the information fits within the definition of a trade secret set forth in Civil Code § 3426.1(d).³³

IT IS RULED that:

1. The request to treat individual customer energy usage as private is granted. This information shall be redacted from the online maps. Instead, information regarding customer energy usage shall be presented in aggregate form in the manner described in this *Ruling* and in the attachments.

³² "Trade secrets," as used in this section, may include, but are not limited to, any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service having commercial value and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

³³ Trade secret means information, including a formula, pattern, compilation, program, device, method, technique, or process, that: (1) Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and (2) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

2. This Ruling clarifies the term Facility ID appears alongside the words “substation” and “circuit” in Decision 18-02-004 to identify the “location and system granularity of grid need” in their GNAs. Whereas “substation” and “circuit” refer to generally recognized levels of distribution system granularity, “Facility ID” is included as an umbrella term that includes substations and circuits, but is neutral with respect to the granularity at which the grid need arises. The IOUs shall not redact Facility ID information unless it satisfies another criterion for which redaction is granted in this *Ruling*.

3. This *Ruling* adopts uniform criteria for identifying data that should be classified as critical electrical infrastructure information for redaction purposes. It will be incumbent on each Investor-owned Utility to show that every data set it wishes to redact fits within the criteria.

4. This *Ruling* adopts a protocol for permitting interested stakeholders to seek leave for permission to be given access to critical electrical infrastructure information that has been redacted in accordance with the protocols established herein.

5. Finally, for the reasons set forth herein and in the attachments, this *Ruling* rejects the attempts to redact information that the Investor-owned Utilities deemed market sensitive.

Dated July 24, 2018, at San Francisco, California.

/s/ ROBERT M. MASON III
Robert M. Mason III
Administrative Law Judge

Attachment A

ALJ Ruling on PG&E Matrix

**Appendix -1
PG&E Confidentiality Matrix, R.14-08-013, et al.
Pursuant to ALJ Ruling dated June 8, 2018**

Dataset	Data Subcategory	ALJ Ruling
A. Forecast Data	<ol style="list-style-type: none"> 1. Bank and Feeder Peak Loads 2. Bank and Feeder DER Growth Forecasts 	<p>1, 2 (Customer Privacy): The request to redact information to protect the privacy of a customer’s identifiable energy usage is granted in accordance with Pub. Util. Code § 8380(b) (1) and (d). Data that includes distribution load, energy usage, or demand data at a local geo-spatial level shall be anonymized and aggregated to meet customer privacy requirements in accordance with Pub. Util. Code § 8380(e) (1). The IOUs shall use the 15/15 Rule (i.e. information in a data set should be made up of at least 15 customers, and a customer’s load must be less than 15% of an aggregation category) that the Commission established in Decision 97-10-031 and Decision (D.) 14-05-016 for data in the Integration Capacity Analysis (ICA), Locational Net Benefits Analysis (LNBA), Grid Needs Assessment (GNA), and Distribution Deferral Opportunity Report (DDOR). With respect to ICA, if the circuit level passes the 15/15 Rule but the line section does not, the IOUs shall aggregate the ICA results to the circuit level for display in the online maps and datasets.</p> <p>1 (Critical Infrastructure) Due to the IOUs’ failure to articulate uniform and specific criteria for identifying CEII that would merit redaction from the public version of the DRP maps, this Ruling adopts the seven different examples of Distribution Facility, set forth in the Joint Parties’ Filing of Updated Draft Straw Proposal for Physical Security Regulations, that was filed on August 31, 2017 in Rulemaking 15-06-009. It will be incumbent on each IOU that wishes to redact CEII from the public version of the DRP maps to demonstrate that the redacted information fits within one or more of the following examples:</p> <p>(1) Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to</p>

		<p>the California Independent System Operator's (CAISO) operational control and/or subject to North American Electric Reliability Corporation (NERC) Reliability Standard CIP-014-2 or its successors;</p> <p>(2) Distribution Facility that is the primary source of electrical service to a military installation essential to national security and/or emergency response services (may include certain air fields, command centers, weapons stations, emergency supply depots);</p> <p>(3) Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);</p> <p>(4) Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff's department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);</p> <p>(5) Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing);</p> <p>(6) Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development;</p> <p>(7) Distribution Facility that serves over 60,000 meters. CEII that fits within one or more of the above examples may be redacted in the public version of the DRP maps. To the extent stakeholders contend that they need access to the CEII that has been redacted in the public version of the DRP maps, interested stakeholders shall enter into a non-disclosure agreement with the appropriate IOU (see the Model Non-Disclosure Agreement attached as Attachment B to D.14-05-016.)</p>
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<p>B. Integration Capacity Analysis (ICA) Data</p>	<ol style="list-style-type: none"> 1. Circuit ID 2. Circuit Load Profile 3. Section ID 4. Voltage (kV) 5. Substation ID 6. Substation Load Profile 7. Customer Class Proportions 8. Existing, Queued, Total DG MW 9. Hosting Capacity Values by Criteria Violation (Load, Gen, and PV) 	<p>2, 6, 7, 8, and 9 (Customer Privacy): The request to redact information to protect the privacy of a customer’s identifiable energy usage is granted in accordance with Pub. Util. Code § 8380(b) (1) and (d). Data that includes distribution load, energy usage, or demand data at a local geo-spatial level shall be anonymized and aggregated to meet customer privacy requirements in accordance with Pub. Util. Code § 8380(e) (1). The IOUs shall use the 15/15 Rule (i.e. information in a data set should be made up of at least 15 customers, and a customer’s load must be less than 15% of an aggregation category) that the Commission established in Decision 97-10-031 and Decision (D.) 14-05-016 for data in the Integration Capacity Analysis (ICA), Locational Net Benefits Analysis (LNBA), Grid Needs Assessment (GNA), and Distribution Deferral Opportunity Report (DDOR). With respect to ICA, if the circuit level passes the 15/15 Rule but the line section does not, the IOUs shall aggregate the ICA results to the circuit level for display in the online maps and datasets.</p> <p>1, 2, 3, 5, 6, and 9 (Critical Infrastructure) Due to the IOUs’ failure to articulate uniform and specific criteria for identifying CEII that would merit redaction from the public version of the DRP maps, this Ruling adopts the seven different examples of Distribution Facility, set forth in the Joint Parties’ Filing of Updated Draft Straw Proposal for Physical Security Regulations, that was filed on August 31, 2017 in Rulemaking 15-06-009. It will be incumbent on each IOU that wishes to redact CEII from the public version of the DRP maps to demonstrate that the redacted information fits within one or more of the following examples:</p> <p>(1) Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator’s (CAISO) operational control and/or subject to North American Electric Reliability Corporation (NERC)</p>
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		<p>Reliability Standard CIP-014-2 or its successors;</p> <p>(2) Distribution Facility that is the primary source of electrical service to a military installation essential to national security and/or emergency response services (may include certain air fields, command centers, weapons stations, emergency supply depots);</p> <p>(3) Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);</p> <p>(4) Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff's department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);</p> <p>(5) Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing);</p> <p>(6) Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development;</p> <p>(7) Distribution Facility that serves over 60,000 meters. CEII that fits within one or more of the above examples may be redacted in the public version of the DRP maps. To the extent stakeholders contend that they need access to the CEII that has been redacted in the public version of the DRP maps, interested stakeholders shall enter into a non-disclosure agreement with the appropriate IOU (see the Model Non-Disclosure Agreement attached as Attachment B to D.14-05-016.)</p>
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<p>C. Grid Needs Assessment (GNA) Data</p>	<ol style="list-style-type: none"> 1. Facility ID 2. Facility Type 3. Distribution Service Required 4. Equipment Rating and Units 5. Anticipated Need Date 6. Deficiencies for next 5 years 	<p>6 (Customer Privacy): The request to redact information to protect the privacy of a customer’s identifiable energy usage is granted in accordance with Pub. Util. Code § 8380(b) (1) and (d). Data that includes distribution load, energy usage, or demand data at a local geo-spatial level shall be anonymized and aggregated to meet customer privacy requirements in accordance with Pub. Util. Code § 8380(e) (1). The IOUs shall use the 15/15 Rule (i.e. information in a data set should be made up of at least 15 customers, and a customer’s load must be less than 15% of an aggregation category) that the Commission established in Decision 97-10-031 and Decision (D.) 14-05-016 for data in the Integration Capacity Analysis (ICA), Locational Net Benefits Analysis (LNBA), Grid Needs Assessment (GNA), and Distribution Deferral Opportunity Report (DDOR). With respect to ICA, if the circuit level passes the 15/15 Rule but the line section does not, the IOUs shall aggregate the ICA results to the circuit level for display in the online maps and datasets.</p> <p>1, 2, 4, 5, and 6 (Critical Infrastructure) Due to the IOUs’ failure to articulate uniform and specific criteria for identifying CEII that would merit redaction from the public version of the DRP maps, this Ruling adopts the seven different examples of Distribution Facility, set forth in the Joint Parties’ Filing of Updated Draft Straw Proposal for Physical Security Regulations, that was filed on August 31, 2017 in Rulemaking 15-06-009. It will be incumbent on each IOU that wishes to redact CEII from the public version of the DRP maps to demonstrate that the redacted information fits within one or more of the following examples:</p> <ol style="list-style-type: none"> (1) Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator’s (CAISO) operational control and/or subject to North American Electric Reliability Corporation (NERC) Reliability Standard CIP-014-2 or its successors; (2) Distribution Facility that is the primary source of electrical service to a
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		<p>military installation essential to national security and/or emergency response services (may include certain air fields, command centers, weapons stations, emergency supply depots);</p> <p>(3) Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);</p> <p>(4) Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff's department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);</p> <p>(5) Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing);</p> <p>(6) Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development;</p> <p>(7) Distribution Facility that serves over 60,000 meters. CEII that fits within one or more of the above examples may be redacted in the public version of the DRP maps. To the extent stakeholders contend that they need access to the CEII that has been redacted in the public version of the DRP maps, interested stakeholders shall enter into a non-disclosure agreement with the appropriate IOU (see the Model Non-Disclosure Agreement attached as Attachment B to D.14-05-016.)</p>
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<p>D. Locational Net Benefit Analysis (LNBA) Data</p>	<p>Same as F. DDOR Candidate Deferral Projects List</p>	<p>1,2 [from Box A] and 5 and 7 [from Box E] (Customer Privacy): The request to redact information to protect the privacy of a customer’s identifiable energy usage is granted in accordance with Pub. Util. Code § 8380(b) (1) and (d). Data that includes distribution load, energy usage, or demand data at a local geo-spatial level shall be anonymized and aggregated to meet customer privacy requirements in accordance with Pub. Util. Code § 8380(e) (1). The IOUs shall use the 15/15 Rule (i.e. information in a data set should be made up of at least 15 customers, and a customer’s load must be less than 15% of an aggregation category) that the Commission established in Decision 97-10-031 and Decision (D.) 14-05-016 for data in the Integration Capacity Analysis (ICA), Locational Net Benefits Analysis (LNBA), Grid Needs Assessment (GNA), and Distribution Deferral Opportunity Report (DDOR). With respect to ICA, if the circuit level passes the 15/15 Rule but the line section does not, the IOUs shall aggregate the ICA results to the circuit level for display in the online maps and datasets.</p> <p>1 [from Box A] and 1, 2, 3, 4, 5, 6, 7, and 10 [from Box E] (Critical Infrastructure): Due to the IOUs’ failure to articulate uniform and specific criteria for identifying CEII that would merit redaction from the public version of the DRP maps, this Ruling adopts the seven different examples of Distribution Facility, set forth in the Joint Parties’ Filing of Updated Draft Straw Proposal for Physical Security Regulations, that was filed on August 31, 2017 in Rulemaking 15-06-009. It will be incumbent on each IOU that wishes to redact CEII from the public version of the DRP maps to demonstrate that the redacted information fits within one or more of the following examples: (1) Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator’s (CAISO) operational control and/or subject to North American Electric Reliability Corporation (NERC) Reliability Standard CIP-014-2 or its successors;</p>
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| | | <p>(2) Distribution Facility that is the primary source of electrical service to a military installation essential to national security and/or emergency response services (may include certain air fields, command centers, weapons stations, emergency supply depots);</p> <p>(3) Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);</p> <p>(4) Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff's department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);</p> <p>(5) Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing);</p> <p>(6) Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development;</p> <p>(7) Distribution Facility that serves over 60,000 meters. CEII that fits within one or more of the above examples may be redacted in the public version of the DRP maps. To the extent stakeholders contend that they need access to the CEII that has been redacted in the public version of the DRP maps, interested stakeholders shall enter into a non-disclosure agreement with the appropriate IOU (see the Model Non-Disclosure Agreement attached as Attachment B to D.14-05-016.)</p> |
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<p>E. DDOR Planned Investments Data</p>	<ol style="list-style-type: none"> 1. Substation 2. Facility ID 3. Description 4. Equipment Involved 5. Additional Info 6. Planned In-Service Date 7. Deficiency and Units 8. Distribution Service(s) Required 9. DER Service Eligible? 10. Estimated LNBA Range 	<p>5 and 7 (Customer Privacy): The request to redact information to protect the privacy of a customer’s identifiable energy usage is granted in accordance with Pub. Util. Code § 8380(b) (1) and (d). Data that includes distribution load, energy usage, or demand data at a local geo-spatial level shall be anonymized and aggregated to meet customer privacy requirements in accordance with Pub. Util. Code § 8380(e) (1). The IOUs shall use the 15/15 Rule (i.e. information in a data set should be made up of at least 15 customers, and a customer’s load must be less than 15% of an aggregation category) that the Commission established in Decision 97-10-031 and Decision (D.) 14-05-016 for data in the Integration Capacity Analysis (ICA), Locational Net Benefits Analysis (LNBA), Grid Needs Assessment (GNA), and Distribution Deferral Opportunity Report (DDOR). With respect to ICA, if the circuit level passes the 15/15 Rule but the line section does not, the IOUs shall aggregate the ICA results to the circuit level for display in the online maps and datasets.</p> <p>1, 2, 3, 4, 5, 6, 7, and 10 (Critical Infrastructure) Due to the IOUs’ failure to articulate uniform and specific criteria for identifying CEII that would merit redaction from the public version of the DRP maps, this Ruling adopts the seven different examples of Distribution Facility, set forth in the Joint Parties’ Filing of Updated Draft Straw Proposal for Physical Security Regulations, that was filed on August 31, 2017 in Rulemaking 15-06-009. It will be incumbent on each IOU that wishes to redact CEII from the public version of the DRP maps to demonstrate that the redacted information fits within one or more of the following examples:</p> <ol style="list-style-type: none"> (1) Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator’s (CAISO) operational control and/or subject to North American Electric Reliability Corporation (NERC) Reliability Standard CIP-014-2 or its successors; (2) Distribution Facility that is the primary source of electrical service to a
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		<p>military installation essential to national security and/or emergency response services (may include certain air fields, command centers, weapons stations, emergency supply depots);</p> <p>(3) Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);</p> <p>(4) Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff's department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);</p> <p>(5) Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing); (6) Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development;</p> <p>(7) Distribution Facility that serves over 60,000 meters. CEII that fits within one or more of the above examples may be redacted in the public version of the DRP maps. To the extent stakeholders contend that they need access to the CEII that has been redacted in the public version of the DRP maps, interested stakeholders shall enter into a non-disclosure agreement with the appropriate IOU (see the Model Non-Disclosure Agreement attached as Attachment B to D.14-05-016.)</p>
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<p>F. DDOR Candidate Deferral Projects Data</p>	<ol style="list-style-type: none"> 1. Substation 2. Facility ID 3. In-Service Date 4. Distribution Service Required 5. Months of Need 6. Duration of Need 7. # of Need Events/Year 8. Service Provision (MW) 9. Estimated LNBA Range 10. Unit Cost of Traditional Mitigation 	<p>5, 6, 7, and 8 (Customer Privacy): The request to redact information to protect the privacy of a customer’s identifiable energy usage is granted in accordance with Pub. Util. Code § 8380(b) (1) and (d). Data that includes distribution load, energy usage, or demand data at a local geo-spatial level shall be anonymized and aggregated to meet customer privacy requirements in accordance with Pub. Util. Code § 8380(e) (1). The IOUs shall use the 15/15 Rule (i.e. information in a data set should be made up of at least 15 customers, and a customer’s load must be less than 15% of an aggregation category) that the Commission established in Decision 97-10-031 and Decision (D.) 14-05-016 for data in the Integration Capacity Analysis (ICA), Locational Net Benefits Analysis (LNBA), Grid Needs Assessment (GNA), and Distribution Deferral Opportunity Report (DDOR). With respect to ICA, if the circuit level passes the 15/15 Rule but the line section does not, the IOUs shall aggregate the ICA results to the circuit level for display in the online maps and datasets.</p> <p>1, 2, 3, 5, 6, 7, and 8 (Critical Infrastructure) Due to the IOUs’ failure to articulate uniform and specific criteria for identifying CEII that would merit redaction from the public version of the DRP maps, this Ruling adopts the seven different examples of Distribution Facility, set forth in the Joint Parties’ Filing of Updated Draft Straw Proposal for Physical Security Regulations, that was filed on August 31, 2017 in Rulemaking 15-06-009. It will be incumbent on each IOU that wishes to redact CEII from the public version of the DRP maps to demonstrate that the redacted information fits within one or more of the following examples:</p> <p>(1) Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator’s (CAISO) operational control and/or subject to North American Electric Reliability Corporation (NERC) Reliability Standard CIP-014-2 or its successors;</p> <p>(2) Distribution Facility that is the primary source of electrical service to a</p>
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military installation essential to national security and/or emergency response services (may include certain air fields, command centers, weapons stations, emergency supply depots);

(3) Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);

(4) Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff's department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);

(5) Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing);

(6) Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development;

(7) Distribution Facility that serves over 60,000 meters. CEII that fits within one or more of the above examples may be redacted in the public version of the DRP maps. To the extent stakeholders contend that they need access to the CEII that has been redacted in the public version of the DRP maps, interested stakeholders shall enter into a non-disclosure agreement with the appropriate IOU (see the Model Non-Disclosure Agreement attached as Attachment B to D.14-05-016.)

9 and 10 (Market Sensitivity): The request to redact this data category is denied. In Decision 19-02-004, Ordering Paragraph 2.q., the Commission previously rejected this market sensitivity claim and determined that the cost of distribution system upgrades was public information. The request to redact information that is deemed market sensitive is also denied on procedural grounds. Ordering Paragraph 2. g. of D.18-02-004 related to the establishment

		<p>of redaction criteria to ensure the physical and cyber security of the electric system and reflect the customer privacy provision established in D.14-05-016, and the Administrative Law Judge’s Ruling Ordering Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas and Electric Company to File Separate Motions for Confidential Treatment and Redaction of Distribution System Planning Data Ordered by Decisions 17-09-026 and 18-02-004 (June 8, 2018 ALJ Ruling) followed those strictures. Thus, information that may be protected by a claim of market sensitivity was not contemplated by the June 8, 2018 ALJ Ruling. Even if the question of market sensitive information was properly before the Commission at this time, the request is denied on substantive grounds. There is an inadequate showing that the information sought to be redacted meets the definition of trade secrets set forth in Government Code § 6254.7. Nor is there any showing that the information fits within the definition of a trade secret set forth in Civil Code § 3426.1.</p>
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(End of Attachment A)

Attachment B

ALJ Ruling on SCE Matrix

SCE Proposed Confidentiality Matrix - Data Redaction Criteria: R.14-08-013		
Data Category	Data Subcategory	ALJ Ruling
Customer Privacy	Customer-identifiable energy usage data	<p>The request to redact information to protect the privacy of a customer’s identifiable energy usage is granted in accordance with Pub. Util. Code § 8380(b) (1) and (d). Data that includes distribution load, energy usage, or demand data at a local geo-spatial level shall be anonymized and aggregated to meet customer privacy requirements in accordance with Pub. Util. Code § 8380(e) (1). The IOUs shall use the 15/15 Rule (i.e. information in a data set should be made up of at least 15 customers, and a customer’s load must be less than 15% of an aggregation category) that the Commission established in Decision 97-10-031 and Decision (D.) 14-05-016 for data in the Integration Capacity Analysis (ICA), Locational Net Benefits Analysis (LNBA), Grid Needs Assessment (GNA), and Distribution Deferral Opportunity Report (DDOR). With respect to ICA, if the circuit level passes the 15/15 Rule but the line section does not, the IOUs shall aggregate the ICA results to the circuit level for display in the online maps and datasets.</p> <p>Stakeholders shall use the basic registration and log-in process to review the public DRP data with the customer privacy information redacted.</p>
Physical Security	Facility ID	<p>The term Facility ID appears alongside the words “substation” and “circuit” in Decision 18-02-004 as part of the Commission’s direction to IOUs to identify the “location and system granularity of grid need” in their GNAs. Whereas “substation” and “circuit” refer to generally recognized levels of distribution system granularity, “Facility ID” is included as an umbrella term that includes substations and circuits, but is neutral with respect to the granularity at which the grid need arises. The IOUs shall not redact Facility ID information unless it satisfies another criterion for which redaction is granted in this <i>Ruling</i>.</p>

<p>Physical Security</p>	<p>Critical Energy Infrastructure Information</p>	<p>The request to redact information to protect the privacy of a customer’s identifiable energy usage is granted in accordance with Pub. Util. Code § 8380(b) (1) and (d). Data that includes distribution load, energy usage, or demand data at a local geo-spatial level shall be anonymized and aggregated to meet customer privacy requirements in accordance with Pub. Util. Code § 8380(e) (1). The IOUs shall use the 15/15 Rule (i.e. information in a data set should be made up of at least 15 customers, and a customer’s load must be less than 15% of an aggregation category) that the Commission established in Decision 97-10-031 and Decision (D.) 14-05-016 for data in the Integration Capacity Analysis (ICA), Locational Net Benefits Analysis (LNBA), Grid Needs Assessment (GNA), and Distribution Deferral Opportunity Report (DDOR). With respect to ICA, if the circuit level passes the 15/15 Rule but the line section does not, the IOUs shall aggregate the ICA results to the circuit level for display in the online maps and datasets.</p> <p>Due to the IOUs’ failure to articulate uniform and specific criteria for identifying CEII that would merit redaction from the public version of the DRP maps, this Ruling adopts the seven different examples of Distribution Facility, set forth in the Joint Parties’ Filing of Updated Draft Straw Proposal for Physical Security Regulations, that was filed on August 31, 2017 in Rulemaking 15-06-009. It will be incumbent on each IOU that wishes to redact CEII from the public version of the DRP maps to demonstrate that the redacted information fits within one or more of the following examples:</p> <ol style="list-style-type: none"> (1) Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator’s (CAISO) operational control and/or subject to North American Electric Reliability Corporation (NERC) Reliability Standard CIP-014-2 or its successors; (2) Distribution Facility that is the primary source of electrical service to a military installation essential to national security and/or emergency response services (may include certain air fields, command centers, weapons stations, emergency supply depots); (3) Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);
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		<p>(4) Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff's department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);</p> <p>(5) Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing);</p> <p>(6) Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development;</p> <p>(7) Distribution Facility that serves over 60,000 meters. CEII that fits within one or more of the above examples may be redacted in the public version of the DRP maps. To the extent stakeholders contend that they need access to the CEII that has been redacted in the public version of the DRP maps, interested stakeholders shall enter into a non-disclosure agreement with the appropriate IOU (see the Model Non-Disclosure Agreement attached as Attachment B to D.14-05-016.)</p>
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(End of Attachment B)

Attachment C

ALJ Ruling on SDG&E Matrix

SDG&E Confidentiality Matrix - Data Redaction Criteria: R.14-08-013		
Data Category	Data Subcategory	ALJ Ruling
Customer Privacy	Customer-identifiable data, such as energy usage	<p>The request to redact information to protect the privacy of a customer’s identifiable energy usage is granted in accordance with Pub. Util. Code § 8380(b) (1) and (d). Data that includes distribution load, energy usage, or demand data at a local geo-spatial level shall be anonymized and aggregated to meet customer privacy requirements in accordance with Pub. Util. Code § 8380(e) (1). The IOUs shall use the 15/15 Rule (i.e. information in a data set should be made up of at least 15 customers, and a customer’s load must be less than 15% of an aggregation category) that the Commission established in Decision 97-10-031 and Decision (D.) 14-05-016 for data in the Integration Capacity Analysis (ICA), Locational Net Benefits Analysis (LNBA), Grid Needs Assessment (GNA), and Distribution Deferral Opportunity Report (DDOR). With respect to ICA, if the circuit level passes the 15/15 Rule but the line section does not, the IOUs shall aggregate the ICA results to the circuit level for display in the online maps and datasets.</p> <p>Stakeholders shall use the basic registration and log-in process to review the public DRP data with the customer privacy information redacted.</p>

Physical/Cyber Security	Facility ID	<p>The term Facility ID appears alongside the words “substation” and “circuit” in Decision 18-02-004 as part of the Commission’s direction to IOUs to identify the “location and system granularity of grid need” in their GNAs. Whereas “substation” and “circuit” refer to generally recognized levels of distribution system granularity, “Facility ID” is included as an umbrella term that includes substations and circuits, but is neutral with respect to the granularity at which the grid need arises. The IOUs shall not redact Facility ID information unless it satisfies another criterion for which redaction is granted in this <i>Ruling</i>.</p>
Physical/Cyber Security	Circuit connectivity/conductor routing	<p>The request to redact this data category is denied. Circuit connectivity /conductor routing is information that is publically available, particularly through the RAM maps that are already online.</p> <p>Due to the IOUs’ failure to articulate uniform and specific criteria for identifying CEII that would merit redaction from the public version of the DRP maps, this Ruling adopts the seven different examples of Distribution Facility, set forth in the Joint Parties’ Filing of Updated Draft Straw Proposal for Physical Security Regulations, that was filed on August 31, 2017 in Rulemaking 15-06-009. It will be incumbent on each IOU that wishes to redact CEII from the public version of the DRP maps to demonstrate that the redacted information fits within one or more of the following examples:</p> <p>(1) Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator’s (CAISO) operational control and/or subject to North American</p>

		<p>Electric Reliability Corporation (NERC) Reliability Standard CIP-014-2 or its successors;</p> <p>(2) Distribution Facility that is the primary source of electrical service to a military installation essential to national security and/or emergency response services (may include certain air fields, command centers, weapons stations, emergency supply depots);</p> <p>(3) Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);</p> <p>(4) Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff’s department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);</p> <p>(5) Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing);</p> <p>(6) Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development;</p> <p>(7) Distribution Facility that serves over 60,000 meters. CEII that fits within one or more of the above examples may be redacted in the public version of the DRP maps. To the extent stakeholders contend that they need access to the CEII that has been redacted in the public version of the DRP maps, interested stakeholders shall enter into a non-disclosure agreement with the appropriate IOU (see the Model Non-Disclosure Agreement attached as Attachment B to D.14-05-</p>
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Physical/Cyber Security	Equipment rating/information, substation/circuit load data and profiles	<p>The request to redact this data category is denied. Equipment rating/information, substation/circuit load data and profiles is valuable information that will help developers to understand what information goes into the ICA calculation, grid need determinations, and candidate deferrals, and will assist developers in evaluating potential deferral opportunities.</p> <p>Due to the IOUs’ failure to articulate uniform and specific criteria for identifying CEII that would merit redaction from the public version of the DRP maps, this Ruling adopts the seven different examples of Distribution Facility, set forth in the Joint Parties’ Filing of Updated Draft Straw Proposal for Physical Security Regulations, that was filed on August 31, 2017 in Rulemaking 15-06-009. It will be incumbent on each IOU that wishes to redact CEII from the public version of the DRP maps to demonstrate that the redacted information fits within one or more of the following examples:</p> <ul style="list-style-type: none"> (1) Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator’s (CAISO) operational control and/or subject to North American Electric Reliability Corporation (NERC) Reliability Standard CIP-014-2 or its successors; (2) Distribution Facility that is the primary source of electrical service to a military installation essential to national security and/or emergency response services (may include certain air fields, command centers, weapons stations, emergency supply depots); (3) Distribution Facility that serves installations necessary for the

		<p>provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);</p> <p>(4) Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff’s department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);</p> <p>(5) Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing);</p> <p>(6) Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development;</p> <p>(7) Distribution Facility that serves over 60,000 meters. CEII that fits within one or more of the above examples may be redacted in the public version of the DRP maps. To the extent stakeholders contend that they need access to the CEII that has been redacted in the public version of the DRP maps, interested stakeholders shall enter into a non-disclosure agreement with the appropriate IOU (see the Model Non-Disclosure Agreement attached as Attachment B to D.14-05-016.)</p>
Physical Security	Mapping information for all identified distribution grid needs	<p>The request to redact this data category is denied. Mapping information for all identified distribution grid needs is overly broad and contains information that is publically available.</p> <p>Due to the IOUs’ failure to articulate uniform and specific criteria for identifying CEII that would merit redaction from the public version of the DRP maps, this Ruling adopts the seven different</p>

		<p>examples of Distribution Facility, set forth in the Joint Parties' Filing of Updated Draft Straw Proposal for Physical Security Regulations, that was filed on August 31, 2017 in Rulemaking 15-06-009. It will be incumbent on each IOU that wishes to redact CEII from the public version of the DRP maps to demonstrate that the redacted information fits within one or more of the following examples:</p> <ol style="list-style-type: none">(1) Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator's (CAISO) operational control and/or subject to North American Electric Reliability Corporation (NERC) Reliability Standard CIP-014-2 or its successors;(2) Distribution Facility that is the primary source of electrical service to a military installation essential to national security and/or emergency response services (may include certain air fields, command centers, weapons stations, emergency supply depots);(3) Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);(4) Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff's department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);(5) Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing);
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		<p>(6) Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development;</p> <p>(7) Distribution Facility that serves over 60,000 meters. CEII that fits within one or more of the above examples may be redacted in the public version of the DRP maps. To the extent stakeholders contend that they need access to the CEII that has been redacted in the public version of the DRP maps, interested stakeholders shall enter into a non-disclosure agreement with the appropriate IOU (see the Model Non-Disclosure Agreement attached as Attachment B to D.14-05-016.)</p>
Physical/Cyber Security	Application programming interface (API) broad requirement	<p>The request to redact this data category is denied. SDG&E is concerned that an extensive application programming interface broad requirement could allow bad actors to rapidly download and manipulate massive amount of data. But SDG&E should implement a screening process whereby someone requesting this information can apply, and after undergoing a screening process, be given a user name and passcode for access. SDG&E can monitor the access and remove those persons who lack the requisite access clearance. Due to the IOUs' failure to articulate uniform and specific criteria for identifying CEII that would merit redaction from the public version of the DRP maps, this Ruling adopts the seven different examples of Distribution Facility, set forth in the Joint Parties' Filing of Updated Draft Straw Proposal for Physical Security Regulations, that was filed on August 31, 2017 in Rulemaking 15-06-009. It will be incumbent on each IOU that wishes to redact CEII from the public version of the DRP maps to demonstrate that the redacted information fits within one or more of the following examples:</p>

	<p>(1) Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator's (CAISO) operational control and/or subject to North American Electric Reliability Corporation (NERC) Reliability Standard CIP-014-2 or its successors;</p> <p>(2) Distribution Facility that is the primary source of electrical service to a military installation essential to national security and/or emergency response services (may include certain air fields, command centers, weapons stations, emergency supply depots);</p> <p>(3) Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);</p> <p>(4) Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff's department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);</p> <p>(5) Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing);</p> <p>(6) Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development;</p> <p>(7) Distribution Facility that serves over 60,000 meters. CEII that fits within one or more of the above examples may be redacted in the public version of the DRP maps. To the extent stakeholders contend</p>
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		<p>that they need access to the CEII that has been redacted in the public version of the DRP maps, interested stakeholders shall enter into a non-disclosure agreement with the appropriate IOU (see the Model Non-Disclosure Agreement attached as Attachment B to D.14-05-016.)</p>
<p>Physical Security</p>	<p>Forecasted deficiency above the existing facility/equipment rating over five years</p>	<p>The request to redact this data category is denied. Forecasted deficiency above the existing facility/equipment rating over five years is one type of information a developer needs to determine the magnitude of the DER solution needed to defer a proposed traditional investment.</p> <p>Due to the IOUs’ failure to articulate uniform and specific criteria for identifying CEII that would merit redaction from the public version of the DRP maps, this Ruling adopts the seven different examples of Distribution Facility, set forth in the Joint Parties’ Filing of Updated Draft Straw Proposal for Physical Security Regulations, that was filed on August 31, 2017 in Rulemaking 15-06-009. It will be incumbent on each IOU that wishes to redact CEII from the public version of the DRP maps to demonstrate that the redacted information fits within one or more of the following examples:</p> <ul style="list-style-type: none"> (1) Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator’s (CAISO) operational control and/or subject to North American Electric Reliability Corporation (NERC) Reliability Standard CIP-014-2 or its successors; (2) Distribution Facility that is the primary source of electrical service to a military installation essential to national security and/or emergency response services (may include certain air fields,

		<p>command centers, weapons stations, emergency supply depots);</p> <p>(3) Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);</p> <p>(4) Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff's department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);</p> <p>(5) Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing);</p> <p>(6) Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development;</p> <p>(7) Distribution Facility that serves over 60,000 meters. CEII that fits within one or more of the above examples may be redacted in the public version of the DRP maps. To the extent stakeholders contend that they need access to the CEII that has been redacted in the public version of the DRP maps, interested stakeholders shall enter into a non-disclosure agreement with the appropriate IOU (see the Model Non-Disclosure Agreement attached as Attachment B to D.14-05-016.)</p>
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<p>Market Sensitive</p>	<p>Cost of distribution system upgrades</p>	<p>The request to redact this data category is denied. In Decision 18-02-004, Ordering Paragraph 2. q., the Commission previously rejected this market sensitivity claim and determined that the cost of distribution system upgrades was public information.</p> <p>The request to redact information that is deemed market sensitive is also denied on procedural grounds. Ordering Paragraph 2. g. of D.18-02-004 related to the establishment of redaction criteria to ensure the physical and cyber security of the electric system and reflect the customer privacy provision established in D.14-05-016, and the Administrative Law Judge’s Ruling Ordering Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas and Electric Company to File Separate Motions for Confidential Treatment and Redaction of Distribution System Planning Data Ordered by Decisions 17-09-026 and 18-02-004 (June 8, 2018 ALJ Ruling) followed those strictures.</p> <p>Thus, information that may be protected by a claim of market sensitivity was not contemplated by the June 8, 2018 ALJ Ruling. Even if the question of market sensitive information was properly before the Commission at this time, the request is denied on substantive grounds. There is an inadequate showing that the information sought to be redacted meets the definition of trade secrets set forth in Government Code § 6254.7. Nor is there any showing that the information fits within the definition of a trade secret set forth in Civil Code § 3426.1.</p>
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(End of Attachment C)