



**FILED**

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

Application of Pacific Gas and Electric Company for Adoption of Electric Revenue Requirements and Rates Associated with its 2022 Energy Resource Recovery Account (ERRA) and Generation Non-Bypassable Charges Forecast and Greenhouse Gas Forecast Revenue Return and Reconciliation. (U39E.)

Application 21-06-001

**ADMINISTRATIVE LAW JUDGE'S RULING ADMITTING EXHIBITS INTO EVIDENCE AND GRANTING REQUESTS FOR CONFIDENTIAL TREATMENT**

On October 8, 2021, a status conference was held in this proceeding. At the status conference, Exhibits PGE-1, PGE-1C, PGE-2, PGE-2C, PGE-3, and Exhibits JCCA-01, and JCCA-01C were admitted into evidence.

On October 18, 2021, Pacific Gas and Electric Company (PG&E) and the Joint CCAs<sup>1</sup> filed two motions. The first joint motion requested that the Commission issue an order granting confidential treatment to certain information identified by gray shading in the confidential versions of Exhibit JCCA-01C, and Exhibits PGE-1C and PGE-2C. The second joint motion requested that Exhibits PGE-1C, PGE-2C, PGE-4, JCCA-01C, JCCA-02, JCCA-03, JCCA-04, JCCA-05 and JCCA-06 be admitted into evidence.

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<sup>1</sup> The Joint Community Choice Aggregators (CCAs) include Central Coast Community Energy, City and County of San Francisco, East Bay Community Energy, Marin Clean Energy, Peninsula Clean Energy Authority, Pioneer Community Energy, San Jose Clean Energy, Silicon Valley Clean Energy Authority, and Sonoma Clean Power.

On October 22, 2021, the Joint CCAs filed a motion for leave to file a confidential version of their Opening Brief under seal.

On November 18, 2021, PG&E filed a motion to admit Exhibits PGE-5, PGE-5C and PGE-6 into evidence. On November 18, 2021, PG&E also filed a separate motion requesting confidential treatment of the material in gray shading in the confidential version of Exhibit PGE-5C.

On November 18, 2021, the Joint CCAs filed a motion to admit Exhibits JCCA-07, JCCA-08 and JCCA-09 into evidence.

On December 17, 2021, PG&E filed a motion to admit Exhibits PGE-7 and PGE-8 into evidence.

On January 6, 2021, PG&E filed a motion to admit PGE-9, PGE-9C, PGE-10 and PGE-11 into evidence. Also, on January 6, 2021, PG&E filed a separate motion requesting confidential treatment of the material in gray shading in the confidential version of Exhibit PGE-9C.

All motions requesting confidential treatment were filed pursuant to various Commission Decisions, Rules, Codes and General Orders (GOs). These motions are unopposed.

By Decision (D.) 06-06-066, D.08-04-023 and D.14-10-033, the Commission sets forth guidelines for confidential information as it applies to the confidentiality of electric procurement and market sensitive greenhouse gas data submitted to the Commission. GO 66-C addresses access to records in the Commission's possession. Pub. Util. Code § 454.5(g) generally addresses the Commission's processes regarding confidentiality, while Rule 11.5 addresses sealing all or part of an evidentiary record.

Certain information submitted throughout the proceeding included market sensitive electric procurement-related information deserving protection from public view. Portions of Exhibits PGE-1C, PGE-2C, PGE-5C, PGE-9C,

Exhibit JCCA-01C and the confidential version of the Opening Brief of the Joint CCAs contain confidential information, and therefore, shall be placed under seal for the time period set forth below.

Table 1 is a list of the exhibits and a brief description of each. Exhibits which have been admitted previously are so indicated in the table. The remaining exhibits are admitted as of the date of this ruling.

**Table 1: Exhibit List**

<b>Exhibit No.</b>	<b>Description</b>
PGE-1	PG&E's Revised Testimony, Public (Admitted on October 8, 2021)
PGE-1C	PG&E's Revised Testimony, Confidential (Admitted on October 8, 2021)
PGE-2	PG&E's Supplemental Testimony, Public (Admitted on October 8, 2021)
PGE-2C	PG&E's Supplemental Testimony, Confidential (Admitted on October 8, 2021)
PGE-3	PG&E's Rebuttal Testimony (Admitted on October 8, 2021)
PGE-4	Email correcting Revised Testimony
PGE-5	November Update to Testimony, Public
PGE-5C	November Update to Testimony, Confidential
PGE-6	Third Supplemental Testimony (Errata)
PGE-7	Fourth Supplemental Testimony
PGE-8	Certifications Supporting Fourth Testimony
PGE-9	Fifth Supplemental Testimony, Public
PGE-9C	Fifth Supplemental Testimony, Confidential
PGE-10	PG&E Comments to December 20, 2021 Party Comments to Fourth Supplemental Testimony, PGE-7

PGE-11	Certifications Supporting PG&E's Fifth Supplemental Testimony
JCCA-01	Prepared Direct Testimony of Brian Dickman, Public (Admitted on October 8, 2022)
JCCA-01C	Prepared Direct Testimony of Brian Dickman, Confidential (Admitted on October 8, 2022)
JCCA-02	PG&E'S Data Response to JCCA 7.01
JCCA-03	PG&E's Data Response to JCCA 7.02
JCCA-04	PG&E'S Data Response to JCCA 7.03
JCCA-05	PG&E'S Data Response to JCCA 7.04
JCCA-06	PG&E'S Data Response to JCCA 7.05
JCCA-07	PG&E'S Data Response to JCCA 9.03
JCCA-08	PG&E'S Data Response to JCCA 9.06
JCCA-09	PG&E'S Data Response to JCCA 9.07

**IT IS RULED THAT:**

1. Exhibits PGE-1, PGE-1C, PGE-2, PGE-2C, PGE-3 and Exhibit JCCA-01 and JCC-01C are admitted into evidence as of October 8, 2021, as further set forth below in paragraph 4.

2. Exhibits PGE-4, PGE-5, PGE-5C, PGE-6, PGE-7, PGE-8, PGE-9, PGE-9C, PGE-10, PGE-11, and Exhibits JCCA-02, JCCA-03, JCCA-04, JCCA-05, JCCA-06, JCCA-07, JCCA-08, JCCA-09 are admitted into evidence as of the date of this ruling, as further set forth below in paragraph 4.

3. The October 22, 2021 Motion of the Joint CCAs to file portions of its Opening Brief under seal is granted as set forth in Paragraph 4.

4. Portions of Exhibits PGE-1C, PGE-2C, PGE-5C, PGE-9C, Exhibit JCCA-01C and the Opening Brief of the Joint CCAs will remain under seal for

three years from the date of this ruling, up to and including January 26, 2025, and during that period the material so protected shall not be made accessible or disclosed to anyone other than Commission staff except on the further order or ruling of the Commission, the Assigned Commissioner, or an Administrative Law Judge.

Dated January 26, 2022, at San Francisco, California.

/s/ SUSAN F. LEE

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Susan F. Lee  
Administrative Law Judge