



**FILED**

04/26/24

02:50 PM

R2310011

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

Order Instituting Rulemaking to  
Oversee the Resource Adequacy  
Program, Consider Program Reforms  
and Refinements, and Establish  
Forward Resource Adequacy  
Procurement Obligations.

Rulemaking 23-10-011

**ADMINISTRATIVE LAW JUDGE'S RULING ON MOTIONS REGARDING  
CONFIDENTIALITY OF FILINGS**

This ruling addresses three motions requesting to seal filings as confidential: California Community Choice Association's (CalCCA) January 18, 2024 *Motion for Leave to File Under Seal the Confidential Information in Appendices B, C, and D to Comments on Assigned Commissioner's Scoping Memo and Ruling*; the Public Advocates Office's (Cal Advocates) February 8, 2024 *Motion to File Under Seal Residual Capacity Auction Proposal*; and Cal Advocates' April 2, 2024 *Motion to File Under Seal Comments of the Public Advocates Office on Proposed Loss of Load Expectation Inputs and Assumptions*. This ruling grants the three motions.

**1. CalCCA's Motion**

On January 18, 2024, CalCCA filed a motion for leave to file under seal confidential information in Appendices B, C, and D of CalCCA's January 18, 2024 comments on the Scoping Memo and Ruling. CalCCA asserts that the Appendices are declarations from staff of CalCCA's members and that the declarations discuss each community choice aggregator's (CCA) experience in the Resource Adequacy (RA) market and include economic, commercially

sensitive, RA supply and price information, prices seen in the RA market, and prices agreed to with counterparties.

The motion submits that Attachment A to the motion provides: a description of the material for which CalCCA seeks confidential treatment, whether CalCCA seeks confidential treatment pursuant to the Energy Service Provider (ESP)/CCA Matrix (and the categories in the Matrix for which the data correspond), CalCCA's justification for confidential treatment, and the length of time the data is to be kept confidential.

No party opposed CalCCA's motion. For good cause shown, CalCCA's request to seal the confidential material in CalCCA's proposals is granted.

## **2. Cal Advocates' February 8 Motion**

On February 8, 2024, Cal Advocates filed a motion to file under seal the confidential version of its Residual Capacity Auction Proposal. Cal Advocates asserts that the proposal contains references to materials that San Diego Gas & Electric Company (SDG&E) indicates is confidential pursuant to Decision (D.) 06-06-066 or alternatively, market sensitive information protected under Public Utilities Code Section 454.5(g) and 583, as well as trade secret information protected under Government Code Section 625(k). The motion submits Attachment A, a declaration that provides a description of the material for which SDG&E seeks confidential treatment, the categories in the Investor-Owned Utility (IOU) Matrix for which the data correspond, and SDG&E's justification for confidential treatment.

Cal Advocates also asserts that the proposal cites to information from Energy Division's internal document containing load-serving entities' confidential year-ahead RA showings. Energy Division's document indicates that it is protected under General Order 66-D.

No party opposed Cal Advocates' motion. For good cause shown, Cal Advocates' request to seal the confidential material in its proposal is granted.

**3. Cal Advocates' April 2 Motion**

On April 2, 2024, Cal Advocates filed a motion to file under seal comments on the proposed loss of load expectation inputs and assumptions. Cal Advocates asserts that its comments cite information contained in Energy Division's internal documents containing load-serving entities' (LSE) confidential year-ahead RA showings and confidential September 2023 month-ahead showings. Cal Advocates asserts that Energy Division's document indicates that the document is protected under General Order 66-D and that LSEs submitted declarations with their RA showings that claim the information is confidential pursuant to D.06-06-066, as modified in D.08-04-023.

No party opposed Cal Advocates' motion. For good cause shown, Cal Advocates' request to seal the confidential material in its comments is granted.

**IT IS RULED** that:

1. California Community Choice Association's (CalCCA) Motion for Leave to File Under Seal the Confidential Information in Appendices B, C, and D to Comments on Assigned Commissioner's Scoping Memo and Ruling is granted. Appendices B, C, and D shall be considered sealed and remain as such for a period of three years from the issuance of this ruling. During this three-year period, the information contained in CalCCA's proposal shall not be publicly disclosed except on further Commission order or Administrative Law Judge ruling.
2. The Public Advocates Office's February 8, 2024 Motion to File Under Seal Residual Capacity Auction Proposal is granted. The proposal shall be considered sealed and remain as such for a period of three years from the issuance of this

ruling. During this three-year period, the information contained in the Public Advocates Office's proposal shall not be publicly disclosed except on further Commission order or Administrative Law Judge ruling.

3. The Public Advocates Office's April 2, 2024 Motion to File Under Seal Comments of the Public Advocates Office on Proposed Loss of Load Expectation Inputs and Assumptions is granted. The comments shall be considered sealed and remain as such for a period of three years from the issuance of this ruling. During this three-year period, the information contained in the Public Advocates Office's opening comments shall not be publicly disclosed except on further Commission order or Administrative Law Judge ruling.

Dated April 26, 2024, at San Francisco, California.

/s/ DEBBIE CHIV  
\_\_\_\_\_  
Debbie Chiv  
Administrative Law Judge