

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



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Order Instituting Rulemaking to Continue
Implementation and Administration, and
Consider Further Development, of California
Renewables Portfolio Standard Program.

**MOTION OF CLEANPOWERSF FOR LEAVE TO FILE UNDER SEAL
CONFIDENTIAL INFORMATION IN DRAFT 2026 RENEWABLES
PORTFOLIO STANDARD PROCUREMENT PLAN**

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Dated: June 12, 2026

**MOTION OF CLEANPOWERSF FOR LEAVE TO FILE UNDER SEAL
CONFIDENTIAL INFORMATION IN FINAL 2025 RENEWABLES
PORTFOLIO STANDARD PROCUREMENT PLAN**

Pursuant to Rules 11.1 and 11.4 of the California Public Utilities Commission’s (“Commission’s”) Rules of Practice and Procedure, CleanPowerSF hereby files this Motion for Leave to File Under Seal Confidential Information in its Draft 2026 Renewables Portfolio Standard Procurement Plan (“Motion”).¹ CleanPowerSF seeks leave to file under seal certain portions of the Draft 2026 Renewables Portfolio Standard Procurement Plan of CleanPowerSF (“Draft 2026 RPS Plan”) because the Plan’s narrative and its Appendices contain confidential information regarding CleanPowerSF’s RPS procurement net short and energy forecast data.

The confidential information described in Table 1, below, is contained in the confidential version of the Draft 2026 RPS Plan and its Appendices. The Plan includes current and forecast data of CleanPowerSF’s RPS net short position in 2026 and for the two forecast years 2027 to 2028 as well as data on CleanPowerSF’s total energy forecast. (“Confidential Information”). This includes the data used to derive the net short, as well as the projections for Compliance Period (“CP”) 5 and 6. CleanPowerSF requests the Commission to issue an order directing that the Confidential Information be placed under seal and not disclosed to third parties. The confidential, unredacted version of the Revised Final2025 RPS Plan will be filed under seal with the Commission’s Docket Office concurrently with this Motion.²

This Motion is made pursuant to Commission Decisions D.06-06-066, D.08-04-023, D.21-11-029, and General Order (“GO”) 66-D, which govern the submission of confidential,

¹ CleanPowerSF is the community choice aggregator (“CCA”) for the City and County of San Francisco and is operated by the San Francisco Public Utilities Commission.

² CleanPowerSF filed and served the redacted Public Version of its Draft 2026 RPS Procurement Plan on June 12, 2026.

market-sensitive energy procurement information to the Commission. The Confidentiality Matrices accompanying D.21-11-029 provide that the type of information for which CleanPowerSF seeks confidential treatment is confidential, market-sensitive information, and is therefore protected from public disclosure. The Confidentiality Matrices provide confidential protection for CCAs and ESPs for forecast data, supply information, and market sensitive bilateral contract information.³

In the Confidentiality Matrices, the Commission accorded confidential treatment to information on the CCAs, Energy Service Provider's ("ESPs"), and Investor Owned Utilities' ("IOUs") net short positions for the current year of filing and front two years of forecast data.⁴ For example, Items I.A-B in Attachment A, Appendix 2 to D.21-11-029 states that the CCAs' and ESPs' RPS compliance filings, including annual filings, are public "unless disclosure of future two years of forecast retail sales and resource mix data (MWh) or of the current year (year of filing) retail sales and supply data would reveal the entire net short of ESP and CCA."⁵ This includes CP5 and 6, because the RPS information required to be made public in combination with the totals for CP 5 and CP 6 would reveal the entire net short. CP 5 is redacted in the Renewable Net Short table because LSEs must reveal their 2025 actuals; this in combination with the totals for CP 5 could be used with the confidential information for 2026 and 2027 and

³ R.20-05-003, *ALJ's Ruling Granting Motions to File Under Seal for Portions of Individual Integrated Resource Plans and Requiring Re-Filing of Certain Related Information* (Sept. 23, 2021), p. 7 (ALJ protected "bilateral contract information, including market-sensitive financial information from contractual counterparties, LSE load forecasts, and LSE open positions for resource adequacy, renewables, and electric resources generally.").

⁴ D.21-11-029, p. 2.

⁵ D.21-11-029, Attachment 2, Appendix 2, p. 1; *see also* R.18-07-003 *ALJ's Ruling Regarding the Motions for Leave to File Confidential Material Under Seal* (June 12, 2023), p. 3 (the renewable net short spreadsheet can be redacted if "disclosure of future two years of forecast retail sales and resource mix data (MWh) and/or retail sales and supply data (MWh) for the current year (year of filing) would reveal entire RPS net short.").

thus reveal the entire net short. Similarly, CP 6 is redacted to protect the confidential 2028 data because the forecasts for 2029 and 2030 in combination with CP 6 would reveal the 2028 data.⁶ Moreover, the Commission has approved confidentiality for the same type of information described in this Motion for CleanPowerSF's previous RPS Procurement Plans.⁷

To the extent certain information matches a Matrix category, it is entitled to the protection set forth in the Matrix for that category of information. In addition, the Commission has discretion to determine whether the public interest in keeping confidential materials confidential outweighs the public interest in making them public.⁸ Further, the Commission has determined that data that does not fall precisely within a matrix data category but which "consists of information from which that [Matrix category] information may be easily derived" is eligible for the confidential treatment specified in the corresponding matrix category.⁹

Decision 08-04-023 provides that parties seeking confidential protection of information must establish:

1. That the material constitutes a particular type of data listed in the Matrix;

⁶ See R.18-07-003, *ALJ's Ruling Regarding the Motions For Leave To File Confidential Material Under Seal*, (April 4, 2024) (granting CleanPowerSF motion to file under seal data for CP4 and CP5 for similar overlap in compliance plans); cf. Motion of CleanPowersSF for Leave to File Under Seal Confidential Information in Final 2023 Renewables Portfolio Standard Procurement Plan, (Dec. 28, 2023), pp 1-3, 5; see also D.24-12-035 (granting CleanPowerSF motion to file under seal data for CP4 and CP5 for Draft 2024 RPS Plan because some of the compliance year data in each compliance period is public); cf. Motion of CleanPowersSF for Leave to File Under Seal Confidential Information in Draft 2024 Renewables Portfolio Standard Procurement Plan, (July 24, 2024), pp 1-3, 4.

⁷ R.24-01-007, *Administrative Law Judge's Ruling Regarding the Motions for Leave to File Confidential Material Under Seal* (April 1, 2025); see D.24-12-035, p. 95, Ordering Para. (O.P.) 51 (making the same type of information confidential); see also D.25-12-025, p. 101 (O.P. 51) (granting confidentiality motions for retail sellers' Draft RPS Plans not included in Table 12.)

⁸ D.06-06-066, as modified by D.07-05-032, p. 6 ("[t]he test for non-disclosure to the public includes whether '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.'" (See e.g., Gov. Code, §6255, subd. (a).)" (former Gov. Code, §6255, subd. (a) now Gov. Code, §7922.).

⁹ R.06-05-027, *Administrative Law Judge's Ruling on San Diego Gas & Electric Company's April 3, 2007 Motion to File Data Under Seal* (May 4, 2007), p. 2.

2. The category or categories in the Matrix to which the data correspond;
3. That the submitting party is complying with the limitations on confidentiality specified in the Matrix for that type of data;
4. That the information is not already public; and
5. That the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.¹⁰

The table below describes: (1) the material for which CleanPowerSF seeks confidential treatment; (2) the category or categories in the CCA and ESP Matrix to which the data correspond; (3) the justification for why the material should be protected, and (4) limitations on confidentiality specified in the CCA and ESP Matrix. The Commission has granted confidentiality for similar renewable net short and energy forecast information requested in this Motion.¹¹ Accordingly, for the renewable net short and energy forecast information this motion should also be granted based on this proceeding’s precedent.

TABLE 1 – Confidentiality Matrix			
Confidential Data	Category from GO 66-D, D.06-06-066, D.08-04-023, D.21-11-029, and CCA and ESP Matrix	Justification for Confidential Treatment	Limitations on Confidentiality
<p>Appendix C, RNS Quantitative Response</p> <p>1. Variables A and C-E for the Years 2026-2028, CP5, CP6 (columns J-M and P) [J:7-M:7, -J:9-M:11, P:7 and P:9-P:11].</p> <p>2. Variables Fa-F3 for the Years 2026-2028, CP5, CP6 (columns J-M, and P) [J:13-M:23 and P:13-P:23].</p>	<p>CCA and ESP Matrix §§ I.A-B (forecast and retail sales and resource mix data (MWh) contained in RPS compliance filings required by the Commission and annual RPS compliance filings, that reveal the entire net short of the CCA and ESP).</p>	<p>The specified information is the same type of net short information in the CCA and ESP Matrix categories. This information should be protected as confidential, market-sensitive information, consistent with D.06-06-066, D.08-04-023, and D.21-11-029. The categories of information reveal the entire renewables net short for CleanPowerSF.</p> <p>In addition, disclosure of such valuable, highly sensitive market</p>	<p>For CCA and ESP Matrix §§ I.A-B – Sales and supply data for the first two forecast years and the current year (year of filing) is confidential.</p>

¹⁰ D.08-04-023, pp. 21-22 (citing D.06-06-066).

¹¹ See, e.g., D.24-12-035, p. 95, O.P 51.

TABLE 1 – Confidentiality Matrix			
Confidential Data	Category from GO 66-D, D.06-06-066, D.08-04-023, D.21-11-029, and CCA and ESP Matrix	Justification for Confidential Treatment	Limitations on Confidentiality
<p>3. Variables Ga and Gb for the Years 2026-2028, CP5, CP6 (columns J-M, and P) [J:25-M:26 and P:25-P:26].</p> <p>4. Variables La and Lb for the Years 2026-2028, CP5, CP 6 (columns J-M, and P) [J:41-M:42 and P:41-P:42].</p> <p>(Confidential information highlighted in yellow in confidential version and redacted in public version).</p>		<p>information would enable any interested person to identify in great detail CleanPowerSF’s renewable procurement net short. Release of this information would materially compromise CleanPowerSF’s ability to negotiate and procure renewable energy contracts on terms reasonable for its ratepayers. The public interest served by disclosing this information is clearly outweighed by the public interest in withholding such information from disclosure, given the sensitivity of the information and the potential harm that would be caused by its disclosure.</p>	
<p>Appendix D, Cost Quantification</p> <p>1. Table 2 (for the Years 2026-2028) (Rows numbered 27 and 30-58 columns C-E) [C:59-E:59 and C:62-E:89].</p> <p>2. Table 4 (for the Years 2026-2028) (Rows numbered 28-53 columns C-E) [C:61-E:85].</p> <p>Draft 2026 RPS Procurement Plan</p> <p>Customer Demand, p. 13.</p> <p>Forecast total for 2028, pp. 14, 42.</p> <p>Table 3: CleanPowerSF Long-Term Contract Volume, 2026 -2028, p. 16.</p>	<p>CCA and ESP Matrix §§ I.A-B (forecast and retail sales and resource mix data (MWh) contained in RPS compliance filings required by the Commission and annual RPS compliance filings, that reveal the entire net short of the CCA and ESP); III.C.1 (LSE Total Energy Forecast (MWh) – RPS Compliance Reporting)</p>	<p>The specified information is the same type of net short and energy forecast information in the CCA and ESP Matrix category. This information should be protected as confidential, market-sensitive information, consistent with D.06-06-066, D.08-04-023, and D.21-11-029.</p> <p>In addition, disclosure of such valuable, highly sensitive market information would enable any interested person to identify in great detail CleanPowerSF’s renewable procurement net short. Release of this information would materially compromise CleanPowerSF’s ability to negotiate and procure renewable energy contracts on terms reasonable for its ratepayers. The public interest served by disclosing this information is clearly outweighed by the public interest in withholding such information from disclosure, given the sensitivity of the information and the potential harm that would be caused by its disclosure.</p>	<p>For CCA and ESP Matrix §§ I.A-B – Sales and supply data for the first two forecast years and the current year is confidential</p> <p>For CCA and ESP Matrix § III.C.1 Current year (year of filing) and front two years of forecast data confidential.</p>

TABLE 1 – Confidentiality Matrix			
Confidential Data	Category from GO 66-D, D.06-06-066, D.08-04-023, D.21-11-029, and CCA and ESP Matrix	Justification for Confidential Treatment	Limitations on Confidentiality
<p>Table 4: Transportation Electrification Forecast, 2026-2028, p. 19.</p> <p>Figure 7: Progress Towards CleanPowerSF RPS Needs, 2026-2028, p. 43.</p> <p>Table 12: CleanPowerSF Annual MMoP Values, 2026-2028, pp. 53-54.</p> <p>Appendix A – Redlined Revised Final 2025 RPS Procurement Plan</p> <p>Customer Demand, p. 16.</p> <p>Forecast total for 2028, pp. 17, 60.</p> <p>Table 3: CleanPowerSF Long-Term Contract Volume, 2026 -2028, p. 20.</p> <p>Table 4: Transportation Electrification Forecast, 2026-2028, p. 24</p> <p>Figure 7: Progress Towards CleanPowerSF RPS Needs, p. 60-61.</p> <p>Table 12: CleanPowerSF Annual MMoP Values, pp. 72.</p> <p>Figure 8: CleanPowerSF Renewable Targets Compared to RPS Requirement, actual and forecasted RPS content, 2026-2027, p. 73.</p>			

TABLE 1 – Confidentiality Matrix			
Confidential Data	Category from GO 66-D, D.06-06-066, D.08-04-023, D.21-11-029, and CCA and ESP Matrix	Justification for Confidential Treatment	Limitations on Confidentiality
(Confidential information highlighted in yellow on confidential version and redacted in public version).			
<p>Appendix B. Project Development Status</p> <p>Rows 2-3, columns N-O, S-T.</p> <p>Row 5, columns P-R, T.</p> <p>Row 6, columns C, F-G,I-K, N-T.</p> <p>Row 7, column T.</p> <p>Rows 8, columns N-O, T.</p> <p>Row 9, columns N-O, S-T.</p> <p>Draft 2026 RPS Procurement Plan</p> <p>Geothermal Position, p. 28.</p> <p>Table 5: Information related to MTR position and updates for Ormat, p. 29.</p> <p>Table 9: Information related to MTR position and updates for Ormat, p. 41.</p> <p>Updates for Fish Lake and Ormat, p. 42.</p> <p>Appendix A – Redlined Revised Final 2025 RPS Procurement Plan</p>	<p>CCA and ESP Matrix §§ IA-B (forecast and retail sales and resource mix data (MWh) contained in RPS compliance filings required by the Commission and annual RPS compliance filings, that reveal the entire net short of the CCA and ESP); IC (RPS Contract Terms) §§IIA-B (RA load forecast information and data and RA Supply Data.)</p> <p>Government Code, Section 7927.705; Evidence Code, Section 1060 (see also Civil Code Section 3426.1)</p> <p>California Government Code, Section 7922.000</p>	<p>The marked text consists of information related to mid-term reliability (MTR) compliance and project development information that is highly sensitive, and its public release could have negative impacts on the project developers. This information includes delays to the online dates for projects underdevelopment and project status. CleanPowerSF requests that the requested description of the contact details including delay and transmission status, and project notes be protected because providing the information publicly would force CleanPowerSF to reveal confidential information obtained from third-party developers. The public interest disfavors requiring load serving entities to disclose the confidential information of third parties, as doing so may expose LSEs to contractual liability and has the potential to disrupt energy markets and market positions.</p> <p>Additionally, the referenced information directly relates to ongoing contract negotiations relating to the identified delay, and the public interest in protecting confidential contract negotiations vastly outweighs any conceivable benefit from public disclosure of such information.</p> <p>Finally, the referenced information consists of data that could reveal or be used to derive CleanPowerSF’s</p>	<p>For CCA and ESP Matrix §§ II.A-B For forecast and supply data confidential for first three years of forecast period.</p> <p>The MTR compliance information should be kept confidential until the end of the supplemental compliance period June 1, 2028 which may be extended for some resources until 2031, because this information will remain sensitive during the compliance period.</p>

TABLE 1 – Confidentiality Matrix			
Confidential Data	Category from GO 66-D, D.06-06-066, D.08-04-023, D.21-11-029, and CCA and ESP Matrix	Justification for Confidential Treatment	Limitations on Confidentiality
<p>Geothermal Position, p. 38.</p> <p>Table 5: Information related to MTR position and updates for Ormat, p. 39.</p> <p>Table 9: Information related to MTR position and updates for Ormat, p. 58.</p> <p>Updates for Ormat and Fisk Lake, pp. 58-59.</p> <p>(Confidential information highlighted in yellow on confidential version and redacted in public version).</p>		<p>net short position for its MTR requirements for long lead time resources. In D.21-06-035, the Commission created the MTR compliance obligation and extend it in D.23-02-040. This obligation is not specifically addressed by the confidentiality Matrices. However, reporting this information about long lead time resources could reveal CleanPowerSF’s position for this MTR obligation. This is similar to the listed CCA and ESP Matrix categories for compliance filings that protect the net-short for RPS compliance and protects the RA supply position. This information qualifies as market-sensitive information, as it is not generally known and could be used by others to gain economic value from its disclosure, which would impact CleanPowerSF’s negotiating positions and the energy and capacity market more generally. The public interest in maintaining fair and functional markets by protecting this information outweighs any negligible public interest in publicly disclosing this information.</p>	

CleanPowerSF represents that the Confidential Information is not publicly available and that it will be materially harmed by public disclosure of the Confidential Information. Further, the Confidential Information cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.

Therefore, CleanPowerSF requests that the Commission grant this Motion to file the information specified in Table 1, above, under seal and protect the Confidential Data from public disclosure. Attachment A to this Motion contains a Proposed Ruling as required by Rule 11.4(a).

Dated: June 12, 2026

Respectfully submitted,

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ATTACHMENT A

PROPOSED RULING

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

Order Instituting Rulemaking to Continue
Implementation and Administration, and
Consider Further Development, of California
Renewables Portfolio Standard Program.

Rulemaking 24-01-017
(Filed January 25, 2024)

[FINAL RULING]

On June 12, 2026, CleanPowerSF filed a Motion for Leave to File Under Seal its Draft 2026 Renewables Portfolio Standard Procurement Plan pursuant to Rules 11.1 and 11.4 of the California Public Utilities Commission’s Rules of Practice and Procedure (“Motion”).

For good cause showing, **IT IS RULED** that:

1. CleanPowerSF’s Motion is granted. The confidential information CleanPowerSF seeks to protect is protected pursuant to Decisions 06-06-066, 08-04-023, D.21-11-029, and General Order 66-D, has not been publicly disclosed, and cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.
2. Confidential information in the CleanPowerSF Draft 2026 Renewables Portfolio Standard Procurement Plan narrative and Appendices A - D, as shown in the confidential, unredacted version of the Procurement Plan, shall be submitted under seal and shall be kept confidential. The information shall not be made accessible or disclosed to anyone other than Commission Staff except upon further order or ruling of the Commission, the Assigned Commissioner, the assigned Administrative Law Judge, or the ALJ then designated as Law and Motion Judge.

Dated: _____, at San Francisco, California.

Administrative Law Judge