

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



FILED

08/28/26

04:59 PM

R2401017

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)

**MOTION OF BEAR VALLEY ELECTRIC SERVICE, INC. (U 913-E) FOR LEAVE TO
FILE CONFIDENTIAL MATERIAL UNDER SEAL**

JEDEDIAH J. GIBSON
DOWNEY BRAND LLP
621 Capitol Mall, 18th Floor
Sacramento, California 95814
Telephone: 916.444.1000
Facsimile: 916.444.2100
Email: jgibson@downeybrand.com

Date: August 28, 2026

Attorneys for Bear Valley Electric Service, Inc.

**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)

**MOTION OF BEAR VALLEY ELECTRIC SERVICE, INC. (U 913-E) FOR LEAVE TO
FILE CONFIDENTIAL MATERIAL UNDER SEAL**

Pursuant to Rules 11.1 and 11.4 of the California Public Utilities Commission (“CPUC” or “Commission”) Rules of Practice and Procedure and the updated processes provided in Decision (“D.”) 16-08-024, D.17-09-023, D.21-11-029, and General Order 66-D, Bear Valley Electric Service, Inc. (“BVES”) moves for leave to file its 2021-2024 Final Renewables Portfolio Standard (“RPS”) Compliance Report under seal.

Those portions of BVES’ 2021-2024 Final RPS Compliance Report identified in Table 1 below are eligible for confidentiality protection pursuant to Public Utilities Code Section 454.5(g) and Decision (“D.”) 06-06-066, D.08-04-023, D.21-11-029, and the Matrix of Allowed Confidential Treatment for Investor Owned Utility Data (“IOU Matrix”) attached as Appendix 1 to the latter decision. Public Utilities Code Section 454.5(g) provides that the Commission shall adopt “appropriate procedures to ensure the confidentiality of any market sensitive information” submitted by a utility in connection with procurement-related activities. In D.06-06-066, D.08-04-023, and D.21-11-029 the Commission adopted rules governing confidentiality of certain categories of electric procurement data which are entitled to confidentiality protections established in the IOU Matrix. The data for which BVES requests confidentiality and thereby

protection from public disclosure are of the type and correspond to the category in the IOU

Matrix specified below:

TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION		
<i>RPS Compliance Report Worksheet Location</i>	<i>Type of Data</i>	<i>Authority / Matrix Category</i>
Worksheet “2025 Annual or 2021-2024 Final Small Utility RPS Compliance Report: 2025-2027 Compliance Period Summary” (CP 5 Summary), RPS Summary Report Table, Cells E10:G11, H11:H13	• Total Retail Sales for 2026, 2027, and CP 5 Total; • Annual RPS Targets and Compliance Period Procurement Requirement for 2026, 2027, CP 5 Total, and % of Total Retail Sales; • Total RPS Eligible RECs Procured as a % of Total Retail Sales; Total RPS Eligible RECs Retired as a % of Total Retail Sales.	V – Load Forecast Information and Data – Electric C.1) RPS Compliance Reporting Load Forecast – Bundled Customer (MWh) Front two years of forecast data and the year of filing may be kept confidential. The front two years of a retail seller’s RPS net short position and the year of filing may be kept confidential.
Worksheet “2025 Annual or 2021-2024 Final Small Utility RPS Compliance Report: Unique Inputs” (Unique Inputs), Retail Sales (MWh) Table, Cells K10:M10	Annual Retail Sales (MWh) for 2026-2028	V – Load Forecast Information and Data – Electric C.1) RPS Compliance Reporting Load Forecast – Bundled Customer (MWh) Front two years of forecast data and the year of filing may be kept confidential. The front two years of a retail seller’s RPS net short position and the year of filing may be kept confidential.

TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION		
<i>RPS Compliance Report Worksheet Location</i>	<i>Type of Data</i>	<i>Authority / Matrix Category</i>
Worksheet “2025 Annual or 2021-2024 Final Small Utility RPS Compliance Report: Compliance Status” (Accounting): Annual RPS Procurement and Percentages (MWh) Table: Cells H15:I15, H18:I18 Procurement Quantity Requirement (MWh) Table: Cells G23:I23, H32:I32 Long-Term Contracting Requirement (MWh) Table: Cells G39:I41	Annual Retail Sales (MWh) for 2026-2027; Annual RPS Procurement Percentage for 2026-2027; Procurement Quantity Requirement (PQR) for Compliance Period 5 (2025-2027); RECs as Percentage of Retail Sales for 2026-2027; Long-term RECs Requirement for Compliance Period 5 (2025-2027); Excess/(Shortfall) RECs Retirements from Long-Term Contracts for Compliance Period 5 (2025-2027); Short-term REC Limit for Compliance Period 5 (2025-2027)	V – Load Forecast Information and Data – Electric C.1) RPS Compliance Reporting Load Forecast – Bundled Customer (MWh) Front two years of forecast data and the year of filing may be kept confidential. The front two years of a retail seller’s RPS net short position and the year of filing may be kept confidential.
Worksheet “2025 Annual or 2021-2024 Final Small Utility RPS Compliance Report: Procurement Details” (Procurement Details): Procurement Summary (MWh) Table: Cells F19:H19	Long Term Contracting Requirement for Compliance Period 5 (2025-2027)	V – Load Forecast Information and Data – Electric C.1) RPS Compliance Reporting Load Forecast – Bundled Customer (MWh) Front two years of forecast data and the year of filing may be kept confidential. The front two years of a retail seller’s RPS net short position and the year of filing may be kept confidential.

The data for which BVES is claiming confidentiality is not already public. BVES’ customers may be harmed by the loss of confidentiality insofar as members of the public not eligible to review the data as non-market participating parties—primarily other market participants such as other IOUs or wholesale suppliers of RPS supplies—can use this data to derive BVES-specific RPS procurement contract pricing information to the detriment of BVES’ future procurement efforts and BVES’ customers.

Accordingly, BVES respectfully requests that the above identified portions of its 2021-2024 Final RPS Compliance Report be treated as confidential material and protected from public disclosure. BVES requests that the data remain under seal through 2029. BVES also requests a ruling granting leave to file the confidential version of its 2021-2024 Final RPS Compliance Report under seal.

Dated: August 28, 2026

Respectfully submitted,

/s/ Jedediah J. Gibson

JEDEDIAH J. GIBSON
DOWNEY BRAND LLP
621 Capitol Mall, 18th Floor
Sacramento, California 95814
Telephone: 916.444.1000
Facsimile: 916.444.2100
Email: jgibson@downeybrand.com

Attorneys for Bear Valley Electric Service, Inc.

**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)

[PROPOSED] RULING

On August 28, 2026, Bear Valley Electric Service, Inc. (“BVES”) filed a motion for leave to file certain confidential material under seal. In particular, BVES seeks to file under seal confidential information included in its 2021-2024 Final Renewables Portfolio Standard Compliance Report.

The data which BVES seeks to file under seal is eligible for confidentiality protection pursuant to Public Utilities Code Section 454.5(g), Decision (“D.”) 06-06-066, D.08-04-023, D.21-11-029 and the Matrix of Allowed Confidential Treatment for Investor Owned Utility Data (“IOU Matrix”) attached as Appendix 1 to that decision, D.16-08-024, D.17-09-023, and General Order 66-D. Therefore, good cause showing, BVES’ motion is granted. The data shall remain sealed through 2029. The sealed data shall not be made accessible or disclosed to anyone other than the Commission and Commission staff except pursuant to written protective order, or upon further order or ruling of the Commission, the assigned Commissioner, the assigned Administrative Law Judge, or the Administrative Law Judge then designated as the Law and Motion Judge.

Dated _____, 2026 at San Francisco, California

Administrative Law Judge

VERIFICATION

I am the attorney for Bear Valley Electric Service, Inc. (“BVES”) and am authorized to make this verification on its behalf. BVES is absent from the County of Sacramento, California, where I have my office, and I make this verification for that reason. The statements in the foregoing document are true of my own knowledge, except as to matters which are therein stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 28, 2026 at Sacramento, California.

/s/ Jedediah J Gibson

JEDEDIAH J. GIBSON

DOWNEY BRAND LLP

621 Capitol Mall, 18th Floor

Sacramento, California 95814

Telephone: 916.444.1000

Facsimile: 916.444.2100

Email: jgibson@downeybrand.com

Attorneys for Bear Valley Electric Service, Inc.