

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

Order Instituting Rulemaking to Continue  
Implementation and Administration of California  
Renewables Portfolio Standard Program.

Rulemaking 08-08-009  
(Filed May 25, 2006)

**CONFIDENTIALITY DECLARATION  
FOR YEAR 2006-2007 CEC VERIFIED AND AUGUST 2011 SEMI-ANNUAL  
COMPLIANCE REPORT PURSUANT TO THE CALIFORNIA RENEWABLES  
PORTFOLIO STANDARD OF  
NOBLE AMERICAS ENERGY SOLUTIONS LLC**

The Year 2006-2007 CEC Verified and August 2011 Semi-Annual Compliance Report Pursuant to the California Renewables Portfolio Standard (“RPS Report”) which is the subject of this confidentiality declaration has been submitted to Commission staff, as well as the presiding administrative law judge for the above-captioned proceeding, pursuant to the RPS reporting requirements established in Decision (“D.”) 05-10-059 and specified further in the Energy Division’s most recent reporting instructions. In addition, a redacted (public) version of the report has been served on the parties to the above-captioned proceeding and also to the parties to Rulemaking 06-02-012.

Certain information contained in the subject RPS Report, as specified herein, is eligible for confidentiality treatment under the provisions of D.06-06-066 and the “Matrix of Allowed Confidential Treatment Energy Service Provider (ESP) Data” adopted in the aforesaid decision, as modified in D.08-04-023. In contrast to other RPS-obligated entities, which typically own or wholly control the output of a significant portion of the generation resources that are used to meet their customers’ electricity requirements and associated resource adequacy (capacity) requirements, at this time Noble Americas Energy Solutions LLC (hereinafter referred to as “Noble Solutions”) does not own or wholly control the output of any generation facility that serves the electricity and/or associated resource adequacy requirements of its customers in California. Therefore, Noble Solutions’ “net short”, which is confidential under the ESP Matrix as modified in

D.08-04-23, may be essentially the same as its total retail sales in any given year, or could readily be derived for the year by comparing its total retail sales with its supply data (MWh) and resource mix data (MWh). With this fact in mind, the undersigned declarant hereby verifies that the following RPS-related compliance data<sup>1</sup> is confidential and the Commission is obligated to protect it so as to avoid material harm to Noble Solutions and its customers:

Description of Data	Spreadsheet Location	D.06-06-066 Requirements	Explanation
<b>Total Retail Sales (MWh)</b>	<i>Accounting</i> <sup>2</sup> , Cells K13-O13 (Line 5);	Demonstrate that submitted material constitutes type of data listed in the Matrix.	Noble Solutions' net short is equivalent to its retail sales minus procured supplies.
		Identify the Matrix category (or categories) to which data correspond.	I.B
		Affirm compliance with limitations on confidentiality specified in the Matrix.	Consistent with the Matrix, Noble Solutions requests that its prior year's retail sales and the first three years of its forecasted retail sales be kept confidential so as not to reveal its net short.
		Affirm information is not already public.	This information is not already public.
		State whether data can be protected in a way that would allow partial disclosure.	Aggregated data of all ESPs could be made public without serious risk of harm.

<sup>1</sup> Not all cells referenced in the table are necessarily redacted, as they may not contain any data.

<sup>2</sup> Line numbers correspond with those set forth in Column B (Line #).

Description of Data	Spreadsheet Location	D.06-06-066 Requirements	Explanation
<b>Annual Procurement Target (MWh)</b>	<i>Summary 10, Cell D10 Accounting<sup>3</sup>, Cells K15-O15 (Line 7);</i>	Demonstrate that submitted material constitutes type of data listed in the Matrix.	Noble Solutions' APTs (MWh) is derived by a formula that is linked to retail sales, disclosure of APT (MWh) data would reveal Noble Solutions' retail sales.
		Identify the Matrix category (or categories) to which data correspond.	I.B
		Affirm compliance with limitations on confidentiality specified in the Matrix.	Consistent with the Matrix, Noble Solutions requests that information that would reveal the first three years of its forecasted retail sales be kept confidential so as not to reveal its net short.
		Affirm information is not already public.	This information is not already public.
		State whether data can be protected in a way that would allow partial disclosure.	Aggregated data of all ESPs could be made public without serious risk of harm.

<sup>3</sup> Line numbers correspond with those set forth in Column B (Line #).

Description of Data	Spreadsheet Location	D.06-06-066 Requirements	Explanation
<b>Incremental Procurement Target (MWh)</b>	<i>Accounting</i> <sup>4</sup> , Cells K16-O16 (Line 8);	Demonstrate that submitted material constitutes type of data listed in the Matrix.	Noble Solutions' IPT (MWh) is derived by a formula that is linked to retail sales; disclosure of IPT (MWh) data would reveal Noble Solutions' retail sales.
		Identify the Matrix category (or categories) to which data correspond.	I.B
		Affirm compliance with limitations on confidentiality specified in the Matrix.	Consistent with the Matrix, Noble Solutions requests that information that would reveal the first three years of its forecasted retail sales be kept confidential so as not to reveal its net short.
		Affirm information is not already public.	This information is not already public.
		State whether data can be protected in a way that would allow partial disclosure.	Aggregated data of all ESPs could be made public without serious risk of harm.

<sup>4</sup> Line numbers correspond with those set forth in Column B (Line #).

Description of Data	Spreadsheet Location	D.06-06-066 Requirements	Explanation
25% of APT (MWh)	<i>Procurement Detail</i> , Cells J15-N15;	Demonstrate that submitted material constitutes type of data listed in the Matrix.	Noble Solutions' 25% of APT (MWh) is derived by a formula that is linked to retail sales; disclosure of 25% of APT (MWh) data would reveal Noble Solutions' retail sales.
		Identify the Matrix category (or categories) to which data correspond.	I.B
		Affirm compliance with limitations on confidentiality specified in the Matrix.	Consistent with the Matrix, Noble Solutions requests that information that would reveal the first three years of its forecasted retail sales be kept confidential so as not to reveal its net short.
		Affirm information is not already public.	This information is not already public.
		State whether data can be protected in a way that would allow partial disclosure.	Aggregated data of all ESPs could be made public without serious risk of harm.

Description of Data	Spreadsheet Location	D.06-06-066 Requirements	Explanation
<b>Annual Contracting Quota Requirement (MWh)</b>	<i>Procurement Detail</i> , Cells J26 and K26	Demonstrate that submitted material constitutes type of data listed in the Matrix.	Noble Solutions' ACQ Requirement (MWh) is derived by a formula that is linked to retail sales; disclosure of ACQ Requirement (MWh) data would reveal Noble Solutions' retail sales.
		Identify the Matrix category (or categories) to which data correspond.	I.B
		Affirm compliance with limitations on confidentiality specified in the Matrix.	Consistent with the Matrix, Noble Solutions requests that information that would reveal the first three years of its forecasted retail sales be kept confidential so as not to reveal its net short.
		Affirm information is not already public.	This information is not already public.
		State whether data can be protected in a way that would allow partial disclosure.	Aggregated data of all ESPs could be made public without serious risk of harm.
<b>Flexible Compliance Data</b>	<i>Summary 10</i> , Cells E11 and D12; D35-D38, D42 and D45; <i>Accounting</i> <sup>5</sup> , Cells K19-O19, L20-O20, K25-O25, K27-O27, K28-O28, K29-O29,	Demonstrate that submitted material constitutes type of data listed in the Matrix.	Disclosure of flexible compliance data would reveal procurement/supply data that would reveal Noble Solutions' APT (MWh) and IPT

<sup>5</sup> Line numbers correspond with those set forth in Column B (Line #).

Description of Data	Spreadsheet Location	D.06-06-066 Requirements	Explanation
	K30-O30, K31-O31, K32-O32, K33-O33, K34-O34, K35-O35, K36-O36, K37-O37, K38-O38, K40-O40, K41-O41, K42-O42, K43-O43, K44-O44, K45-O45, K46-O46, K47-O47, K48-O48, K49-O49, K50-O50, K51-O51, K-56-O56, K79-O79, K80-O80, K81-O81, K82-O82; K85-O85, K86-O86, K87-O87, K88-O88 K89-O89, K90-O90, L95-O95, and L96-O96; <i>Procurement Detail</i> , Cells J30 and K30;		(MWh), which in turn would reveal its retail sales.
		Identify the Matrix category (or categories) to which data correspond.	I.B
		Affirm compliance with limitations on confidentiality specified in the Matrix.	Consistent with the Matrix, Noble Solutions' requests that flexible compliance data that would reveal its prior year's retail sales and the front three years of its forecasted retail sales be kept confidential so as not to reveal its net short for those years.

Description of Data	Spreadsheet Location	D.06-06-066 Requirements	Explanation
		Affirm information is not already public.	This information is not already public.
		State whether data can be protected in a way that would allow partial disclosure.	Aggregated data of all ESPs could be made public without serious risk of harm.

I declare under penalty of perjury that the aforesaid is true of my own knowledge, except as to matters that are stated on information or belief, which statements I believe to be true.

Executed on July 28, 2011 at San Diego, CA.




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