BEFORE THE PUBLIC UTILITIES
COMMISSION OF THE STATE OF CALIFORNIA

DECLARATION OF MARIA I. BOLDYREVA
REGARDING CONFIDENTIALITY OF CERTAIN DATA

I, Maria I. Boldyreva, do declare as follows:

1. I am an Energy Procurement Advisor in the Electric & Gas Procurement Department for San Diego Gas & Electric Company ("SDG&E"). I have reviewed SDG&E's 2004-2007 Verified and August 2011 Semi-Annual Compliance Report Pursuant to the California Renewables Portfolio Standard, submitted concurrently herewith (the "RPS Compliance Report"). In addition, I am personally familiar with the facts and representations in this Declaration and, if called upon to testify, I could and would testify to the following based upon my personal knowledge and/or belief.

2. I hereby provide this Declaration in accordance with D.06-06-066[1] and D.08-04-023 to demonstrate that the confidential information ("Protected Information") provided in the RPS Compliance Report submitted concurrently herewith (described below) falls within the scope of data protected as confidential pursuant to the IOU Matrix attached to the Commission's confidentiality decision, D.06-06-066 (the "IOU Matrix") and/or under relevant statutory provisions.[2]

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[1] As amended by D.07-05-032.

[2] The Matrix is derived from the statutory protections extended to non-public market sensitive and trade secret information. (*See* D.06-06-066, *mimeo*, note 1, Ordering Paragraph 1). The Commission is obligated to act in a manner consistent with applicable law. The analysis of protection afforded under the Matrix must always produce a result that is consistent with the relevant underlying statutes; if information is eligible for statutory protection, it must be protected under the Matrix. (*See Southern California Edison Co. v. Public Utilities Comm.* 2000 Cal. App. LEXIS 995, *38-39) Thus, by claiming applicability of the Matrix, SDG&E relies upon and simultaneously claims the protection of applicable statutory provisions including, but not limited to, Public Utilities Code §§ 454.5(g) and 583, Govt. Code § 6254(k) and General Order 66-C.

3.   In D.06-06-066, the Commission adopted rules governing confidentiality of certain categories of electric procurement data submitted to the Commission by investor owned utilities ("IOUs") and energy service providers ("ESPs"). The Commission established two matrices – one applicable to IOUs, the other to ESPs – setting forth categories and sub-categories of data and providing a confidentiality designation for each.[3]

4.   To the extent information matches a Matrix category, it is entitled to the protection the Matrix provides for that category of information. In addition, the Commission has made clear that information must be protected where "it matches a Matrix category exactly . . . or consists of information from which that information may be easily derived."[4] In order to claim the protection afforded by the relevant Matrix, the party seeking confidential treatment must establish:

1)   That the material it is submitting constitutes a particular type of data listed in the Matrix,

2)   Which category or categories in the Matrix the data correspond to,

3)   That it 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.[5]

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[3]   *See*, D.06-06-066, as amended by D.07-05-032, *mimeo*, Appendices 1 and 2.
[4]   *See, Administrative Law Judge's Ruling on San Diego Gas & Electric Company's April 3, 2007 Motion to File Data Under Seal*, issued May 4, 2007 in R.06-05-027, p. 2 (emphasis added).
[5]   D.06-06-066, as amended by D.07-05-032, *mimeo*, p. 81, Ordering Paragraph 2.

5. The Protected Information, consisting of the information described below, is protected pursuant to the following Matrix categories:

Data at issue	D.06-06-066 Matrix Requirements	How moving party meets requirements
Bundled Retail Sales; Tabs/Cells: "Accounting" – L13 through P13.	Demonstrate that the material submitted constitutes a particular type of data listed in the IOU Matrix	This data is SDG&E's forecast of its bundled customer total energy requirements.
	Identify the Matrix category or categories to which the data corresponds	This information is protected under IOU Matrix category V.C. - years 2011-2014.
	Affirm that the IOU is complying with the limitations on confidentiality specified in the Matrix for that type of data	In accordance with the limitations on confidentiality set forth in the IOU Matrix, SDG&E requests that the current year projection and the "front three years" of this information be kept confidential.
	Affirm that the information is not already public	SDG&E has not publicly disclosed this information and is not aware that it has been disclosed by any other party.
	Affirm that the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.	The information was provided in the form required by the Energy Division. It would not be possible to provide a complete response if the data were to be aggregated, redacted, summarized or masked.

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Annual Procurement Target ("APT") Tabs/Cells: "Accounting" – L15 through P15.	Demonstrate that the material submitted constitutes a particular type of data listed in the IOU Matrix	Since APT is a formula linked to Bundled Retail Sales Forecasts, disclosure of APT would allow interested parties to easily calculate SDG&E's Total Energy Forecast – Bundled Customer (MWH).
	Identify the Matrix category or categories to which the data corresponds	This information is protected under IOU Matrix category V.C.- years 2011-2014.
	Affirm that the IOU is complying with the limitations on confidentiality specified in the Matrix for that type of data	In accordance with the limitations on confidentiality set forth in the IOU Matrix, SDG&E requests that the current year projection and the "front three years" of this information be kept confidential.
	Affirm that the information is not already public	SDG&E has not publicly disclosed this information and is not aware that it has been disclosed by any other party.
	Affirm that the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.	The information was provided in the form required by the Energy Division. It would not be possible to provide a complete response if the data were to be aggregated, redacted, summarized or masked.

Incremental Procurement Target ("IPT"); Tabs/Cells: "Accounting" – L16 through P16.	Demonstrate that the material submitted constitutes a particular type of data listed in the IOU Matrix	Since IPT is a formula linked to Bundled Retail Sales Forecasts, disclosure would allow interest parties to easily calculate SDG&E's Total Energy Forecast – Bundled Customer (MWH).
	Identify the Matrix category or categories to which the data corresponds	This information is protected under IOU Matrix category V.C. – 2011-2014.
	Affirm that the IOU is complying with the limitations on confidentiality specified in the Matrix for that type of data	In accordance with the limitations on confidentiality set forth in the IOU Matrix, SDG&E requests that the current year projection and the "front three years" of this information be kept confidential.
	Affirm that the information is not already public	SDG&E has not publicly disclosed this information and is not aware that it has been disclosed by any other party.
	Affirm that the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.	The information was provided in the form required by the Energy Division. It would not be possible to provide a complete response if the data were to be aggregated, redacted, summarized or masked.

Preliminary Procurement Surplus / Deficit; Tabs/Cells: "Accounting" – L17 through P17.	Demonstrate that the material submitted constitutes a particular type of data listed in the IOU Matrix	Procurement Surplus/Deficit data must be protected in order to avoid disclosing APT. If APT is disclosed, SDG&E's Bundled Retail Sales data could be calculated.
	Identify the Matrix category or categories to which the data corresponds	This information is protected under IOU Matrix category V.C.-years 2011-2014.
	Affirm that the IOU is complying with the limitations on confidentiality specified in the Matrix for that type of data	In accordance with the limitations on confidentiality set forth in the IOU Matrix, SDG&E requests that the current year projection and the "front three years" of this information be kept confidential.
	Affirm that the information is not already public	SDG&E has not publicly disclosed this information and is not aware that it has been disclosed by any other party.
	Affirm that the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.	The information was provided in the form required by the Energy Division. It would not be possible to provide a complete response if the data were to be aggregated, redacted, summarized or masked.

APT Percentage; Tabs/Cells: "Accounting" – L18 through P18.	Demonstrate that the material submitted constitutes a particular type of data listed in the IOU Matrix	Since APT Percentage is a formula linked to Bundled Retail Sales Forecasts, disclosure of APT would allow interest parties to easily calculate SDG&E's Total Energy Forecast – Bundled Customer (MWH).
	Identify the Matrix category or categories to which the data corresponds	This information is protected under IOU Matrix category V.C. - years 2011-2014.
	Affirm that the IOU is complying with the limitations on confidentiality specified in the Matrix for that type of data	In accordance with the limitations on confidentiality set forth in the IOU Matrix, SDG&E requests that the current year projection and the "front three years" of this information be kept confidential.
	Affirm that the information is not already public	The information was provided in the form required by the Energy Division. It would not be possible to provide a complete response if the data were to be aggregated, redacted, summarized or masked.
	Affirm that the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.	Since APT Percentage is a formula linked to Bundled Retail Sales Forecasts, disclosure of APT would allow interest parties to easily calculate SDG&E's Total Energy Forecast – Bundled Customer (MWH).

Actual Procurement Percentage; Tabs/Cells: "Accounting" – L19 through P19.	Demonstrate that the material submitted constitutes a particular type of data listed in the IOU Matrix	Actual Procurement Percentage data must be protected in order to avoid disclosing SDG&E's Bundled Retail Sales data.
	Identify the Matrix category or categories to which the data corresponds	This information is protected under IOU Matrix category V.C. – years 2011-2014.
	Affirm that the IOU is complying with the limitations on confidentiality specified in the Matrix for that type of data	In accordance with the limitations on confidentiality set forth in the IOU Matrix, SDG&E requests that the current year projection and the "front three years" of this information be kept confidential.
	Affirm that the information is not already public	SDG&E has not publicly disclosed this information and is not aware that it has been disclosed by any other party.
	Affirm that the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.	The information was provided in the form required by the Energy Division. It would not be possible to provide a complete response if the data were to be aggregated, redacted, summarized or masked.

Adjusted Procurement Percentage; Tabs/Cells: "Accounting" – L20 through P20.	Demonstrate that the material submitted constitutes a particular type of data listed in the IOU Matrix	Adjusted Procurement Percentage data must be protected in order to avoid disclosing SDG&E's Bundled Retail Sales data.
	Identify the Matrix category or categories to which the data corresponds	This information is protected under IOU Matrix category V.C. – years 2011-2014.
	Affirm that the IOU is complying with the limitations on confidentiality specified in the Matrix for that type of data	In accordance with the limitations on confidentiality set forth in the IOU Matrix, SDG&E requests that the current year projection and the "front three years" of this information be kept confidential.
	Affirm that the information is not already public	SDG&E has not publicly disclosed this information and is not aware that it has been disclosed by any other party.
	Affirm that the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.	The information was provided in the form required by the Energy Division. It would not be possible to provide a complete response if the data were to be aggregated, redacted, summarized or masked.

Maximum Deficit Eligible for Deferral ("MDEFD"); Tabs/Cells: "Accounting" – L 25 through P25.	Demonstrate that the material submitted constitutes a particular type of data listed in the IOU Matrix	MDEFD data must be protected in order to avoid disclosing IPT. If IPT is disclosed, SDG&E's Bundled Retail Sales data could be calculated.
	Identify the Matrix category or categories to which the data corresponds	This information is protected under IOU Matrix category V.C. – years 2011-2014.
	Affirm that the IOU is complying with the limitations on confidentiality specified in the Matrix for that type of data	In accordance with the limitations on confidentiality set forth in the IOU Matrix, SDG&E requests that the current year projection and the "front three years" of this information be kept confidential.
	Affirm that the information is not already public	SDG&E has not publicly disclosed this information and is not aware that it has been disclosed by any other party.
	Affirm that the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.	The information was provided in the form required by the Energy Division. It would not be possible to provide a complete response if the data were to be aggregated, redacted, summarized or masked.

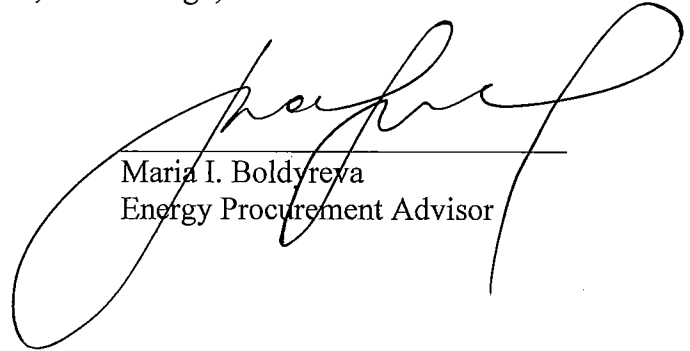|		
Strategies Associated with Application of Flexible Compliance Tools, Bundled Surplus Procurement Bank, Adjusted Deficit and Earmarking Detail; Tabs/Cells: "Accounting" – column L through P rows 55-74 and column M through P rows 79-82. Tab "Bundled Earmarking Detail" – columns J-N rows 9-13 and columns J-N rows 16-35.	Demonstrate that the material submitted constitutes a particular type of data listed in the IOU Matrix	Utility net short data is protected under the IOU Matrix. Information regarding the need to use flexible compliance mechanisms including earmarking provisions would signal an RPS procurement shortage and would highlight an RPS net short position.
	Identify the Matrix category or categories to which the data corresponds	This information is protected under IOU Matrix category V.C.
	Affirm that the IOU is complying with the limitations on confidentiality specified in the Matrix for that type of data	In accordance with the limitations on confidentiality set forth in the IOU Matrix, SDG&E requests that the "front three years" of this information be kept confidential.
	Affirm that the information is not already public	SDG&E has not publicly disclosed this information and is not aware that it has been disclosed by any other party.
	Affirm that the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.	The information was provided in the form required by the Energy Division. It would not be possible to provide a complete response if the data were to be aggregated, redacted, summarized or masked.

Procurement detail numbers associated with Catalina Solar LLC, Silicon Valley Power and SolaGen2 contracts; Tabs/Cells: "Procurement Detail" – row 137, 141 and 142.	Demonstrate that the material submitted constitutes a particular type of data listed in the IOU Matrix	Numbers associated with Catalina Solar LLC, Silicon Valley Power and SolarGen 2 Detail tab information contains information related to the contractual terms of those power purchase agreements.
	Identify the Matrix category or categories to which the data corresponds	This information is protected under IOU Matrix category VII.G.
	Affirm that the IOU is complying with the limitations on confidentiality specified in the Matrix for that type of data	In accordance with the limitations on confidentiality set forth in the IOU Matrix, SDG&E requests that the "front three years" of this information be kept confidential.
	Affirm that the information is not already public	SDG&E has not publicly disclosed this information and is not aware that it has been disclosed by any other party.
	Affirm that the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.	The information was provided in the form required by the Energy Division. It would not be possible to provide a complete response if the data were to be aggregated, redacted, summarized or masked.

The Commission previously considered and approved application of IOU Matrix confidentiality protection to the categories of information listed above in its *Administrative Law Judge's Ruling on San Diego Gas & Electric Company's April 3, 2007 Motion to File Data Under Seal,* issued May 4, 2007 in R.06-05-027; its subsequent *Administrative Law Judge's Ruling Granting San Diego Gas & Electric Company's May 21, 2007 Amendment to April 3, 2007 Motion and May 22, 2007 Amendment to August 1, 2006 Motion,* issued June 28, 2007 in R.06-05-027; and its *Administrative Law Judge's Ruling On (a) SDG&E's Motions Regarding Seal of August 2007 Compliance Report and*

Amended 2008 RPS Plan Plus (b) Possible Content Of Future Motions, issued March 26, 2008 in R.06-05-027.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

Executed this 1st day of August, 2011, at San Diego, California.

Maria I. Boldyreva
Energy Procurement Advisor