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Subject: R.11-05-005 (RPS): Shell Energy North America (US), L.P.'s March 2012 RPS
Progress Report (Revised Public Version)

To all parties on the service list in R.11-05-005:

Shell Energy North America (US) L.P. serves a revised PUBLIC version of its March 2012 RPS Progress Report. The full, unredacted version of this document was previously served via e-mail on the Energy Division on March 1, 2012. The full, unredacted version, as well as the original public version, was previously (March 1, 2012) served via Federal Express on the Honorable Regina D'Angelis, Presiding Administrative Law Judge, and the Honorable Anne E. Simon, Presiding Administrative Law Judge.

Shell Energy serves this revised public version of its March 2012 RPS progress report at the direction of the Energy Division, and under protest. Shell Energy and the Energy Division disagree on the applicability of the confidentiality rules under D.06-06-066 and D.08-04-023. Shell Energy believes that under these decisions, an LSE's RPS procurement information and retail sales information may be maintained on a confidential basis for one year prior (historical) and three years forward because disclosure of this information would reveal the LSE's RPS net short position. The Energy Division does not agree with Shell Energy's interpretation, and unfortunately, the Commission has not addressed whether, and if so how the requirements under the new RPS statute (SB1X 2) affect the confidentiality rules under D.06-06-066 and D.08-04-023. Specifically, the Commission has not addressed how an LSE can protect the confidentiality of its RPS net short position if it is required to make public all of its RPS procurement quantities for all years, as well as its retail sales quantities for the prior year. Shell Energy is encouraged that the September 12, 2012 Amended Scoping Memo in the above-referenced proceeding recognizes that "review and possible refinement" of the confidentiality rules related to RPS procurement-related documents and information must be considered by the Commission. Shell Energy urges the Commission to address the RPS-related confidentiality rules on an expeditious basis in order to provide clarity to LSEs on issues regarding public disclosure. Until this clarity is achieved, Shell Energy submits this public version of its RPS progress report under protest and without waiving its right to assert confidential treatment of similar information in the future.

In addition, the information provided by Shell Energy in its March 1,

2012 RPS progress report is now out-of-date. With the adoption of the Commission's June 21, 2012 RPS decision (D.12-06-038), the rules regarding the treatment of pre-June 1, 2010 RPS contracts have been clarified. Shell Energy offered to update its March 1, 2012 RPS progress report to reflect the impact of the Commission's June 21 RPS decision, but the Energy Division declined. Shell Energy nevertheless wanted interested parties and the Commission to be aware that they should not rely upon the procurement detail provided for years 2011-2014 in the attached RPS progress report.

If you have any questions regarding the attached submission, please do not hesitate to contact the undersigned or Marcie Milner of Shell Energy.

Respectfully submitted,

John W. Leslie

Attorney for Shell Energy North America (US), L.P.

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Effective March 6, 2012, Luce Forward merged with McKenna Long & Aldridge LLP