



Shell Energy North America
4445 Eastgate Mall, Suite 100
San Diego, CA 92121
Tel 1+ 858 526 2109
www.shell.com/us/energy

December 21, 2012

Via E-Mail and Overnight Delivery

Mr. Edward Randolph
Director, Energy Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Re: R.11-05-005: Shell Energy North America (US), L.P.'s 2011 Preliminary Annual
33% RPS Compliance Report

Dear Mr. Randolph:

Shell Energy North America (US), L.P. ("Shell Energy") hereby submits its 2011 Preliminary Annual 33% RPS Compliance Report ("Report"). Shell Energy seeks confidential treatment of portions of its Report pursuant to the declaration that accompanies Shell Energy's August 2008 RPS Compliance Report, which was submitted on August 18, 2008. In the public version of this Report, the following tabs and cells are redacted:

<u>Tabs</u>	<u>Cells</u>
2011 Annual Summary	D 9, 10; E 11, 12
Compliance Period Summary	D 9, 10; E 9, 10; F 9, 10; G 9, 10; H 11, 12
33% RPS Progress Summary	C 10, 12 D 10, 12, 13 E, 10, 15\2 F 10, 12
Accounting	C 18, 21, 26, 33, 79 D 18, 21, 26, 33, 79

E 18, 21, 26, 33, 79

F 18, 21, 26

G 26

H 26

Shell Energy responds to its narrative reporting requirements as follows:

1. N/A.
2. The eligible RPS resources located outside California and within the WECC during the period covered by the Report are shown within the Tab entitled "Procurement Detail," Column D, Lines 58-99.
3. Procurement of unbundled RECs during the period covered by the Report are shown within the Tab entitled "Retirement Detail," Column D, Lines 60-67.
4. N/A.

Shell Energy serves the public version of its Report 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.

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. The Commission has not proceeded with the review that was promised in the September 12 Amended Scoping Memo, however. 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 Report under protest and without waiving its right to assert confidential treatment of similar information in the future.

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The public version of Shell Energy's Report is being served on the service list in Docket No. R.11-05-005. Thank you for your attention to this matter.

Respectfully submitted,



Marcie A. Milner, Vice President

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

cc: All Parties on the Service List in R.11-05-005

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