## DECLARATION OF PATRICK VANBEEK OF COMMERCIAL ENERGY OF CALIFORNIA IN SUPPORT OF CLAIMS OF CONFIDENTIALITY

I, Patrick VanBeek, declare as follows:

- 1. I am an officer of Commercial Energy of California.
- 2. I have reviewed, or caused to be reviewed, the December 28, 2012 RPS Compliance Report of Commercial Energy of California.
- 3. The statements in this declaration are based on my knowledge, information, or belief.
- 4. I am authorized to make this declaration of behalf of Commercial Energy of California.
- 5. Those portions of Commercial's RPS Compliance Report identified in Table 1 below are eligible for confidentiality protection.
- 6. The data for which Commercial requests confidentiality and thereby protection from public disclosure are of the types and correspond to the category (or categories) as specified below:

RPS Compliance Report Worksheet Location	Type of Data	Matrix Category
Worksheet "2011 Annual	Retail sales (MWhs) for	I – Renewables Portfolio
Summary": Cells D9:D10,	prior year, current year and	Standard (RPS) Information
E11:E12.	3 years of actual retail sales, forecasts and	A) RPS Compliance filings required by CPUC, by ESP:
Worksheet "Compliance	procurement targets for	data redacted because
Period Summary": Cells D9:	same "window of	disclosure of first three
G10, H11:H12.	confidentiality" period.	years of forecast retail
Markahaat #220/ DDC		sales and historical retail
Worksheet "33% RPS Progress Summany": Cells		sales and supply data
D13:F13		information that could be
		used to extrapolate this
Worksheet "Accounting",		information.
	Other PPS Contract Torms	I Popowahlas Portfolia
	Other RPS Contract Terms confidential for three year	

## TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION

D18:E31, D32, D38:E41, D42	or until one year after expiration, whichever comes first.	C) RPS Contracts: All information not including resource type, location,
Worksheet "Compliance Period Summary": Cells D11:G12, D18:H31, D32:G32, D38:H41, D42:G42		capacity, expected deliveries, delivery point, length of contract and online date confidential for three years or until one year following expiration,
Worksheet "33% RPS Progress Summary" Summary and Charts: Cells C19:F33, C39:F42		whichever comes first.
Worksheet "Accounting", Cells: C27:G30. C32:G33, C39:E45, C50:E61, C66:E74, C79:E79, C83:E98		
Worksheet "Procurement Detail": Cells E9:H22, E26:H39, E57:H58, O58, P58, R58		
Worksheet "RECs Retired to meet PQR": Cells E9:H24, E28:H:41, E59:H60, P60,		

- 7. The confidentiality of the data for which Commercial is claiming confidentiality would not be compromised if it were first aggregated with the equivalent data of all other load serving entities before being made public. Other than by the aforesaid process, the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.
- 8. Commercial's 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 load serving entities— can use this data to derive detailed estimates of Commercial-specific procurement requirements and Commercial's current compliance position.

Declared under penalty of perjury that the aforesaid is true of my own knowledge, except as to matters that are stated on information or belief and as to those matters I believe them to be true.

Dated: December <u>21</u>, 2012

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