

**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 11-05-005
(Filed May 5, 2011)

**CONFIDENTIALITY DECLARATION FOR
2013 PRELIMINARY ANNUAL 33% RPS COMPLIANCE REPORT
OF EDF INDUSTRIAL POWER SERVICES (CA), LLC**

In accordance with the applicable reporting instructions, EDF Industrial Power Services (CA), LLC, an electric service provider (“ESP”), has caused the 2013 Preliminary Annual 33% RPS Compliance Report (“RPS Report”) that is the subject of this Confidentiality Declaration to be submitted to the Energy Division and the presiding administrative law judges in the above-captioned proceeding. In addition, the submitting ESP has caused a public (redacted) version of the RPS Report to be served on the parties of record in the above-captioned proceeding.

Certain information contained in the submitting ESP’s RPS Report, as specified in the table below, is eligible for confidential treatment under the provisions of Decision (“D.”) 06-06-066 and the “Matrix of Allowed Confidential Treatment Energy Service Provider (ESP) Data” (the “ESP Matrix”), as modified by D.08-04-023, and the Commission is obligated to protect said confidential information so as to avoid material harm to the submitting ESP and/or its customers. Specifically, the submitting ESP’s prior year’s retail sales, current year retail sales, and the first three years of its forecast retail sales, as well as certain RPS-eligible procurement/supply data that could be used to derive such information, is eligible for confidential treatment under the ESP Matrix due

to the fact that the submitting ESP does not own or control the output of any generation facilities and it generally procures the energy required to meet the demand of its retail customers through short-term transactions, thereby making its “net short” (as that term is used in the ESP Matrix) for any given year essentially equivalent to its total retail sales in that year minus any RPS procurement (MWh) as reported in the RPS Report. Also, since ESP does not own or control the output of any RPS-eligible generation facilities, ESP’s RPS net short in a given compliance period is equal to Procurement Quantity Requirement, which is calculated as the applicable percentage of its retail sales, minus the amount of RPS-eligible energy and/or RECs procured and/or banked that may be used for RPS compliance during that period.

TABLE OF CONFIDENTIAL INFORMATION

Description of Data	Spreadsheet Location	D.06-06-066 Requirements	Explanation
Retail Sales (MWh)	<i>33% RPS Progress Summary,</i> Cells F10, G10, H10 and I10. <i>Accounting,</i> Cells F18, G18, H18 and I18.	Demonstrate that submitted material constitutes type of data listed in the Matrix.	ESP’s net short is equivalent to its retail sales minus procured RPS supplies.
		Matrix category.	I.B
		Affirm compliance with limitations on confidentiality specified in the Matrix.	ESP’s prior year’s retail sales, current year’s retail sales, and the first three years of its forecasted retail sales may be kept confidential so as not to reveal its net short positions.
		State whether data can be protected in a way that would allow partial disclosure.	Aggregated data of all ESPs only could be made public without serious risk of harm.


Description of Data	Spreadsheet Location	D.06-06-066 Requirements	Explanation
Procurement Quantity Targets (MWh) and Procurement Quantity Requirements	<i>Compliance Period Summary,</i> Cells E10, F10 and G10.	Demonstrate that submitted material constitutes type of data listed in the Matrix.	Since ESP's PQTs and PQRs are derived from its retail sales using a published formula, disclosure of its PQT and PQR data (MWh) would reveal its retail sales.
	<i>33% RPS Progress Summary,</i> Cells F12, G12, H12, I12, FGH13 and IJKL13.	Matrix category.	I.B
	<i>Accounting,</i> Cells FGH 26 and IJKL26.	Affirm compliance with limitations on confidentiality specified in the Matrix.	Information that would reveal ESP's prior year's retail sales, current year's retail sales, or the first three years of its forecasted retail sales may be kept confidential so as not to reveal its net short positions.
		State whether data can be protected in a way that would allow partial disclosure.	Aggregated data of all ESPs only could be made public without serious risk of harm.

Description of Data	<i>Spreadsheet Location</i>	D.06-06-066 Requirements	Explanation
RPS-Eligible Procurement/Supply Data (MWh and/or percentages)	<i>Accounting, Cells F21, G21, H21, and I21.</i>	Demonstrate that submitted material constitutes type of data listed in the Matrix.	Disclosure of ESP's RPS procurement data (MWh or %, as applicable) would reveal its PQT and PQR data (MWh), which in turn would reveal ESP's retail sales.
		Identify the Matrix category (or categories) to which data correspond.	I.B and I.C
		Affirm compliance with limitations on confidentiality specified in the Matrix.	ESP's prior year's retail sales, current year's retail sales, and the first three years of its forecasted retail sales may be kept confidential so as not to reveal its net short positions.
		State whether data can be protected in a way that would allow partial disclosure.	Aggregated data of all ESPs only could be made public without serious risk of harm.

I, the undersigned, declare under penalty of perjury:

- (1) I am the attorney representing the submitting ESP in this proceeding;
- (2) An officer of the submitting ESP was not located within the County of Los Angeles at the time this Confidentiality Declaration was filed;
- (3) I am authorized to make this Confidentiality Declaration on the submitting ESP's behalf;
- (4) I have reviewed, or caused to be reviewed, the RPS Report referenced in this Confidentiality Declaration;
- (5) The information for which the submitting ESP seeks confidentiality protection is not already public.
- (6) The statements in this Confidentiality Declaration are true of my own knowledge, except as to matters which are therein stated on information or belief, and as to those matters I believe them to be true.

Executed on August 1, 2014 at Woodland Hills, California.



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