

**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 Origination Advisor in the Electric & Gas Procurement Department for San Diego Gas & Electric Company ("SDG&E"). I have reviewed SDG&E's 2013 Preliminary Annual 33% RPS Compliance Report (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, *et seq.* to demonstrate that the confidential information ("Protected Information") provided in the 33% RPS Compliance Report 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.^{1/}

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

^{1/} The Matrix is derived from the statutory protections extended to non-public market sensitive and trade secret information. (See D.06-06-066, *mimeo*, 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.

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.^{2/}

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.”^{3/} 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.^{4/}

^{2/} See, D.06-06-066, as amended by D.07-05-032, *mimeo*, Appendices 1 and 2.

^{3/} 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).

^{4/} 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:^{5/}

Data at issue	D.06-06-066 Matrix Requirements	How moving party meets requirements
<i>Bundled Retail Sales;</i> Tabs/Cells: “33% RPS Progress Summary” – F10 through I10; “Accounting” – F18 through I18.	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 2014-2017.
	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.

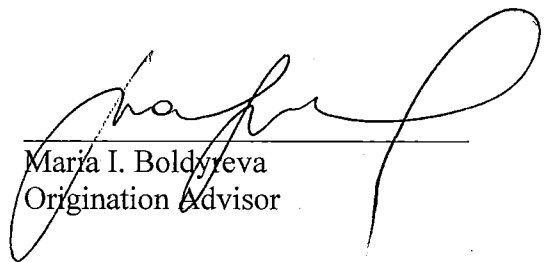
^{5/} See also, *Administrative Law Judge’s Ruling on San Diego Gas & Electric Company’s April 3, 2007 Motion to File Data Under Seal*, issued May 4, 2007 in R.06-05-027; its subsequent *Administrative Law Judge’s Ruling Granting San Diego Gas & Electric Company’s May 21, 2007 Amendment to April 3, 2007 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.

<p><i>Procurement Quantity Requirement (Forecast);</i> Tabs/Cells: “33% RPS Progress Summary” – F12 through I12 and F13 through L13; “Accounting” – F21-I21.</p>	<p>Demonstrate that the material submitted constitutes a particular type of data listed in the IOU Matrix</p>	<p>Since Procurement Quantity Requirement (Forecast) is a formula linked to Bundled Retail Sales Forecasts, disclosure would allow interested parties to easily calculate SDG&E’s Total Energy Forecast – Bundled Customer (MWH).</p>
	<p>Identify the Matrix category or categories to which the data corresponds</p>	<p>This information is protected under IOU Matrix category V.C. – 2014-2017.</p>
	<p>Affirm that the IOU is complying with the limitations on confidentiality specified in the Matrix for that type of data</p>	<p>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.</p>
	<p>Affirm that the information is not already public</p>	<p>SDG&E has not publicly disclosed this information and is not aware that it has been disclosed by any other party.</p>
	<p>Affirm that the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.</p>	<p>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.</p>

<p><i>Portfolio Content Category and Balance Requirements, Contracts Breakdown by Category and Contract Classification Details;</i> <i>Tabs/Cells:</i> “33% RPS Progress Summary” columns F through I, rows 39 through 42; chart “Portfolio Content Category Mix of RPS Procurement” years 2014 through 2017; “Accounting” columns F through L, row 26; “Procurement Detail” columns H through K, rows 9 through 22, column AB, rows 44 through 146; “RECs retired to meet PQR” column P, row 46 through 98.</p>	Demonstrate that the material submitted constitutes a particular type of data listed in the IOU Matrix	Procurement Summary Executed Contracts Breakdown by Category and Contract Classification Details contains information related to the SDG&E’s specific RPS Position by the Product Category, which is considered Strategic Procurement Information.
	Identify the Matrix category or categories to which the data corresponds	This information is protected under IOU Matrix category IX.
	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 this information be kept confidential.
	Affirm that the information is not already public	SDG&E has not publicly disclosed information regarding aggregate procurement within each content category 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.

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 2014, at San Diego, California.



Maria I. Boldyreva
Origination Advisor