

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



FILED

12/12/18
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Application of Pacific Gas and Electric
Company (U 39 E) for Approval of Demand
Response Programs, Pilots and Budgets for
Program Years 2018-2022

Application 17-01-012

And Related Matters

Application 17-01-018
Application 17-01-019

**MOTION OF PACIFIC GAS & ELECTRIC COMPANY (U 39 E) FOR
PERMISSION TO FILE THE “PG&E SUMMARY OF 2018-2019 DRAM
RFO AUDIT ANALYSIS AS OF DECEMBER 4, 2018” UNDER SEAL
(PUBLIC VERSION) - ATTACHMENT CONFIDENTIAL**

SHIRLEY A. WOO

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E-Mail: Shirley.Woo@pge.com

Dated: December 12, 2018

Attorneys for
PACIFIC GAS AND ELECTRIC COMPANY

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

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Pursuant to Rule 11.4 of the Commission’s Rules of Practice and Procedure, Pacific Gas & Electric Company respectfully moves for permission to file the “PG&E Summary of 2018-2019 DRAM RFO Audit Analysis as of December 4, 2018” (December Audit Analysis) under seal. In a separate motion filed today, PG&E moved for a ruling to include the December Audit Analysis in the Energy Division’s final evaluation of the Demand Response Auction Mechanism (DRAM) RFO pilots. PG&E needs to request that the December Audit Analysis be treated as confidential material that is filed and maintained under seal because it contains specific information about three individual 2018-2019 DRAM Sellers’ activities and performance under their contracts. PG&E believes that the information in the report is confidential information subject to Section 13.1 of the DRAM contracts, which addresses the parties’ confidentiality obligations. PG&E’s request for confidential treatment is supported by the attached declaration of Jomo Thorne.

PG&E hereby moves the Assigned Administrative Law Judges for an order granting permission to file and maintain the December Audit Analysis under seal. As required by Rule

11.4(a), a proposed Ruling is attached to this motion. The accompanying declaration of Jomo Thorne supports this request.

PG&E has already provided the confidential version of the December Audit Analysis to the Energy Division staff, and with this motion serves the confidential December Audit Analysis on Administrative Judges Hymes and Atamturk.

Respectfully Submitted,

By: /s/ Shirley A. Woo

SHIRLEY A. WOO

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**ALJ RULING GRANTING MOTION OF PACIFIC GAS & ELECTRIC
COMPANY (U 39 E) FOR PERMISSION TO FILE AND MAINTAIN
THE “PG&E SUMMARY OF 2018-2019 DRAM RFO AUDIT
ANALYSIS AS OF DECEMBER 4, 2018” UNDER SEAL**

[PROPOSED]

In accordance with the Rules of Practice and Procedure, the California Public Utilities Commission (CPUC) or Commission) has considered 1) The Motion of Pacific Gas & Electric Company, filed December __, 2018, For Permission To File And Maintain The PG&E Summary of 2018-2019 DRAM RFO Audit Analysis as of December 4, 2018” Under Seal, and 2) The Motion of Pacific Gas & Electric Company for Inclusion of “PG&E Summary of 2018-2019 DRAM RFO Audit Analysis, Results as of December 4, 2018” in the Energy Division’s Final Evaluation Report of the Demand Response Auction Mechanism.

IT IS THEREFORE ORDERED THAT:

1. PG&E’s motion to file the PG&E Summary of 2018-2019 DRAM RFO Audit Analysis as of December 4, 2018” (December Audit Analysis) under seal is hereby granted. The December Audit Analysis shall remain sealed and shall not be disclosed to anyone other than Commission staff, the assigned Commissioner, the assigned Administrative Law Judges (ALJs), an ALJ designated to decide this motion, or except upon execution of mutually acceptable nondisclosure certificates.

2. Further proceedings, held with respect to matters contained in the December Audit Analysis, including the Commission's publicly-noticed DRAM workshop currently scheduled for January 16, 2019, shall be conducted in a manner the assigned ALJs deem reasonably necessary to protect the confidentiality of DRAM Seller specific information therein.
3. PG&E has the right to consider and reject requests for access to this material by means of a non-disclosure agreement or other method.
4. Nothing in this order precludes any party from moving to publicly release the December Audit Analysis, subject to good cause shown, prior notice to, and an opportunity to be heard, for any parties affected by the proposed release.
5. PG&E has filed a concurrent motion for Inclusion of "PG&E Summary of 2018-2019 DRAM RFO Audit Analysis, Results as of December 4, 2018" in the Energy Division's Final Evaluation Report of the Demand Response Auction Mechanism. That motion will be addressed in a separate ruling.

Dated this _____ day of December, 2018, at San Francisco, California,

Administrative Law Judge

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

**DECLARATION SUPPORTING CONFIDENTIAL DESIGNATION
ON BEHALF OF
PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)**

1. I, Jomo Thorne, DR Operations, of Pacific Gas and Electric Company (“PG&E”), a California corporation. Aaron Johnson, the Vice President, Customer Energy Solution of PG&E, delegated authority to me to sign this declaration. My business office is located at:

Pacific Gas and Electric Company
77 Beale Street, Mail Code N3E
San Francisco, CA 94105

2. PG&E will produce the information identified in paragraph 3 of this Declaration to the California Public Utilities Commission (“CPUC”) or departments within or contractors retained by the CPUC in response to a CPUC audit, data request, proceeding, or other CPUC request.

Name or Docket No. of CPUC Proceeding (if applicable): A.17-01-012 et seq.

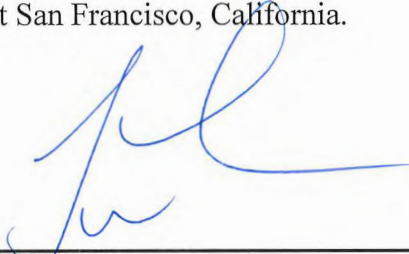
3. Title and description of document(s): PG&E SUMMARY OF 2018-2019 DRAM RFO
AUDIT ANALYSIS, RESULTS AS OF DECEMBER 4, 2018.
4. These documents contain confidential information that, based on my information and belief, has not been publicly disclosed. These documents have been marked as confidential, and the basis for confidential treatment and where the confidential information is located on the documents are identified on the following chart:

Check	Basis for Confidential Treatment	Where Confidential Information is located on the documents
<input type="checkbox"/>	Customer-specific data, which may include demand, loads, names, addresses, and billing data (Protected under PUC § 8380; Civ. Code §§ 1798 <i>et seq.</i> ; Govt. Code § 6254; Public Util. Code § 8380; Decisions (D.) 14-05-016, 04-08-055, 06-12-029)	
<input type="checkbox"/>	Personal information that identifies or describes an individual (including employees), which may include home address or phone number; SSN, driver's license, or passport numbers; education; financial matters; medical or employment history (not including PG&E job titles); and statements attributed to the individual (Protected under Civ. Code §§ 1798 <i>et seq.</i> ; Govt. Code § 6254; 42 U.S.C. § 1320d-6; and General Order (G.O.) 77-M)	
<input type="checkbox"/>	Physical facility, cyber-security sensitive, or critical energy infrastructure data, including without limitation critical energy infrastructure information (CEII) as defined by the regulations of the Federal Energy Regulatory Commission at 18 C.F.R. § 388.113 (Protected under Govt. Code § 6254(k), (ab); 6 U.S.C. § 131; 6 CFR § 29.2)	
<input checked="" type="checkbox"/>	Proprietary and trade secret information or other intellectual property and protected market sensitive/competitive data (Protected under Civ. Code §§3426 <i>et seq.</i> ; Govt. Code §§ 6254, <i>et seq.</i> , e.g., 6254(e), 6254(k), 6254.15; Govt. Code § 6276.44; Evid. Code §1060; D.11-01-036)	PG&E SUMMARY OF 2018-2019 DRAM RFO AUDIT ANALYSIS, RESULTS AS OF DECEMBER 4, 2018
<input type="checkbox"/>	Corporate financial records (Protected under Govt. Code §§ 6254(k), 6254.15)	
<input checked="" type="checkbox"/>	Third-Party information subject to non-disclosure or confidentiality agreements or obligations (Protected under Govt. Code § 6254(k); see, e.g., CPUC D.11-01-036)	PG&E SUMMARY OF 2018-2019 DRAM RFO AUDIT ANALYSIS, RESULTS AS OF DECEMBER 4, 2018

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Other categories where disclosure would be against the public interest (Govt. Code § 6255(a)):

5. The importance of maintaining the confidentiality of this information outweighs any public interest in disclosure of this information. This information should be exempt from the public disclosure requirements under the Public Records Act and should be withheld from disclosure.
6. I declare under penalty of perjury that the foregoing is true, correct, and complete to the best of my knowledge.
7. Executed on this 11th day of December, 2018 at San Francisco, California.



Jomo Thorne
Manager, DR Operations,
Pacific Gas and Electric Company

PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)

**A.17-01-012 et seq., PG&E SUMMARY OF 2018-2019 DRAM RFO AUDIT ANALYSIS, RESULTS AS OF DECEMBER 4, 2018
ATTACHMENT TO DECLARATION
12/11/2018**

ATTACHMENT NAME	DOCUMENT NAME	CATEGORY OF CONFIDENTIALITY	LOCATION
PG&E SUMMARY OF 2018-2019 DRAM RFO AUDIT ANALYSIS, RESULTS AS OF DECEMBER 4, 2018	PG&E SUMMARY OF 2018-2019 DRAM RFO AUDIT ANALYSIS, RESULTS AS OF DECEMBER 4, 2018.PDF	Market sensitive, proprietary, and third party information subject to non- disclosure or confidentiality agreements	PG&E SUMMARY OF 2018-2019 DRAM RFO AUDIT ANALYSIS, RESULTS AS OF DECEMBER 4, 2018.PDF, entire attachment

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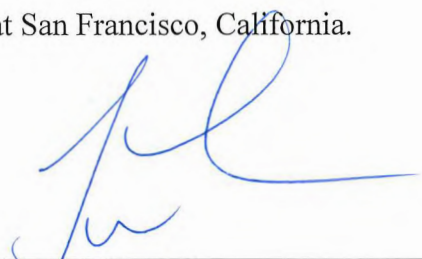
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ATTACHMENT

THIS DOCUMENT IS CONFIDENTIAL IN ITS ENTIRETY

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AS OF DECEMBER 4, 2018