

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

Application of Pacific Gas and Electric Company for Approval of the 2009-2011 Low Income Energy Efficiency and California Alternate Rates for Energy Programs and Budget (U 39 M)	A.08-05-022 (Filed May 15, 2008)
Application of San Diego Gas & Electric Company (U 902 M) for Approval of Low-Income Assistance Programs and Budgets for Program Years 2009-2011	A.08-05-024 (Filed May 15, 2008)
Application of Southern California Gas Company (U 904 G) for Approval of Low-Income Assistance Program and Budgets for Program Years 2009-2011	A.08-05-025 (Filed May 15, 2008)
Application of Southern California Edison Company (U 338-E) for Approval of Low-Income Assistance Programs and Budgets for Program Years 2009, 2010, and 2011	A.08-05-026 (Filed May 15, 2008)

**MOTION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) TO FILE
CONFIDENTIAL VERSION OF ITS RESPONSE TO THE ADMINISTRATIVE LAW
JUDGE'S FIFTH DATA REQUEST UNDER SEAL**

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Dated: **September 5, 2008**

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I.

INTRODUCTION

Pursuant to Rule 11.4 of the California Public Utilities Commission’s (Commission) Rules of Practice and Procedure, Southern California Edison Company (SCE) files this motion (Motion) to file the Confidential Version of its response (Response) to Administrative Law Judge (ALJ) Thomas’ fifth data request under seal. SCE seeks an order that the confidential portions of the Response identified herein shall not be made accessible or disclosed to anyone

other than Commission staff except pursuant to a protective order or on further order or ruling of the Commission, the assigned ALJ, or the ALJ then designated as Law and Motion Judge. As part of this Motion, the Confidential Version of SCE’s Response is being provided in sealed envelopes to ALJ Thomas and the assigned Commissioner Grueneich under Public Utilities Code 583 and General Order (GO) 66-C.

II.

**PORTIONS OF THE INFORMATION CONTAINED IN SCE’S RESPONSE ARE
CONFIDENTIAL AND MARKET SENSITIVE**

SCE seeks to limit disclosure of a limited portion of its Response that contains market sensitive information. Specifically, the Response contains vendor labor costs and competitively bid appliance (lighting) prices. The table below lists where the information is found in the Confidential Version of the Response, a short description of the information, and the legal basis for confidentiality. SCE has specifically limited its redactions to information that is not already public, and cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.

Data	Line or Table	Legal Basis and Reason for Confidentiality	Reason Why Data Cannot be Aggregated, etc.
Purchase Order/contract information, including vendor labor costs and competitively bid appliance (lighting) prices.	All data highlighted in the Confidential Version of the Response, and information contained in Appendix A to the Response.	Section 583 of the Public Utilities Code; General Order 66-C. Purchase Order/contract information such as competitively bid material/appliance prices, is market sensitive information that, if publicly disclosed, could adversely impact SCE’s negotiations	SCE has not redacted or otherwise masked the confidential data, as ALJ Thomas, in her email of September 3, 2008, has specifically requested disaggregated cost data relating to lighting used in low income energy efficiency programs.

		and/or harm SCE's ability to competitively procure low income energy efficiency/energy efficiency vendor/contractor services.	
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For the foregoing reasons, SCE moves the Commission for an order directing that the confidential, market sensitive information appearing in the Confidential Version of the Response, which has been redacted in the Public Version, shall continue to remain protected and shall not be made accessible or disclosed to anyone other than Commission staff except pursuant to protective order or on the further order or ruling of the Commission, the assigned ALJ, or the ALJ then designated as Law and Motion Judge.

Respectfully submitted,

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By: [Stacie Schaffer](#)

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September 5, 2008

(Proposed Ruling)

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE
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ADMINISTRATIVE LAW JUDGE'S RULING ON MOTION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) TO FILE CONFIDENTIAL VERSION OF ITS RESPONSE TO THE ADMINISTRATIVE LAW JUDGE'S FIFTH DATA REQUEST UNDER SEAL

On September 5, 2008, Southern California Edison Company (SCE) filed a motion requesting the confidential protection of certain information contained in the Confidential Version of its Response to the Administrative Law Judge's (ALJ) Fifth Data Request.

This Order grants SCE's motion. Public disclosure of the confidential information that SCE seeks to protect would cause imminent and direct harm to SCE and its ratepayers.

Accordingly, it is ORDERED that:

1. The Confidential Version of SCE's Response to the ALJ's Fifth Data Request shall not be made accessible to anyone other than Commission staff except pursuant to a protective order or on the further order or ruling of the Commission, the assigned ALJ, or the ALJ then assigned as the Law and Motion Judge.

Dated _____, 2008, at San Francisco, California.

Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to the Commission's Rules of Practice and Procedure, I have this day served a true copy of MOTION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) TO FILE CONFIDENTIAL VERSION OF ITS RESPONSE TO THE ADMINISTRATIVE LAW JUDGE'S FIFTH DATA REQUEST UNDER SEAL on all parties identified on the attached service list(s). Service was effected by one or more means indicated below:

Transmitting the copies via e-mail to all parties who have provided an e-mail address.
First class mail will be used if electronic service cannot be effectuated.

Executed this **5th day of September, 2008**, at Rosemead, California.

/s/ JENNIFER ALDERETE

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California Public Utilities Commission

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**PROCEEDING: A0805026 - APPLICATION OF SOUTH
FILER: SOUTHERN CALIFORNIA EDISON COMPANY
LIST NAME: LIST
LAST CHANGED: SEPTEMBER 2, 2008**

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