

<b>DOCKETED</b>	
<b>Docket Number:</b>	25-OPT-02
<b>Project Title:</b>	Prairie Song Reliability Project
<b>TN #:</b>	264924
<b>Document Title:</b>	CEC Response to Prairie Song Reliability Project's Applications for Confidentiality
<b>Description:</b>	N/A
<b>Filer:</b>	Marianna Brewer
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
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<b>Docketed Date:</b>	7/21/2025



July 21, 2025

**Via Email**

Sam Littlefield  
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**Application for Confidential Designation Prairie Song Reliability Project  
Docket No. 25-OPT-02**

Dear Sam Littlefield:

The California Energy Commission (CEC) has received five Prairie Song Reliability Project (applicant) Applications for Confidentiality, dated June 20, 2025 (TNs 264377, 264378, 264379, 264380, 264381 [repeat of 264380]) covering the following records included within the Applicant's Opt-In Application:

- 1) Confidential Appendix 1A, Property Owner Information
- 2) Confidential Appendix 2C, Transmission Interconnection Documents
- 3) Confidential Biological Resources Figure 3.2-5a: Sensitive or Special-Status Species Records
- 4) Appendix 3.3A, Archaeological Resources Management Report, including:
  - Confidential Appendix B, South Central Coastal Information Center Records Search Results
  - Confidential Appendix C, Cultural Resources Overview Map
  - Confidential Appendix E, DPR Site Forms
- 5) Confidential Appendix 3.8A, Paleontological Resources Records Search Letter

A properly filed application for confidentiality shall be granted under California Code of Regulations, title 20, section 2505(a)(3)(A), "if the applicant makes a reasonable claim that the Public Records Act or other provision of law authorizes the Commission to keep the record confidential."

**1) Confidential Appendix 1A, Property Owner Information**

This document lists the assessor's parcel numbers, names and addresses of property owners in the vicinity of the project. Some properties are owned by public agencies, trusts or corporations and do not include an individual's name. The applicant acknowledges in its application that while property owner information may be publicly available, the applicant is concerned with the disclosure of such information in a consolidated, easy-to-obtain fashion. Therefore, the applicant is submitting the information pursuant to an application for confidential designation out of an abundance

of caution to protect property owner information for the parcels surrounding the project site.

Los Angeles County hosts a webpage in which one can obtain information about a property located within the county including the assessor's parcel number, property tax information, a satellite image of the site, and the physical address of the property.

Under California Civil Code section 1798.24 an agency shall not disclose any personal information in a manner that would link the information disclosed to the individual to whom it pertains. California Civil Code section 1798.3 defines the term "personal information" to mean any information that is maintained by an agency that identifies or describes an individual, including, but not limited to, the individual's name, social security number, physical description, home address, home telephone number, education, financial matters, and medical or employment history.

### **Executive Director's Determination**

The applicant has made a reasonable claim that individual names associated with the addresses should be maintained as confidential indefinitely. As such, and consistent with the information that is accessible through the Los Angeles County Assessor's Office, the applicant's request for confidential designation for the individual names is granted. Confidential designation is denied for all other information contained in the record including the assessor's parcel numbers, identification of company or public agency property owners, and addresses. Please docket Confidential Appendix 1A with individual names redacted in the proceeding's docket within 14 days of receipt of this letter.

### **2) Confidential Appendix 2C, Transmission Interconnection Documents**

Confidential Appendix 2C contains the California Independent System Operator Phase II Study for this project as well as the Large Generator Interconnection Agreement Among 16DO 8ME LLC and Southern California Edison and California Independent System Operator Corporation, Project: Angeleno Solar Farm – TOT903.

Both documents were generated by the California Independent System Operator. The Interconnection Study is marked confidential, and CAISO has identified Confidential Appendix 2C as containing critical energy infrastructure information that should not be publicly released. California Code of Regulations, title 20, section 2505(b) provides in part that if a public agency designates a record as confidential, the CEC will grant confidentiality without the need for an application.

### **Executive Director's Determination**

Pursuant to California Code of Regulations, title 20, section 2505(b), Confidential Appendix 2C will be held as confidential for the life of the project.

### **3) Confidential Biological Resources Figure 3.2-5a: Sensitive or Special-Status Species Records**

Figure 3.2-5a contains sensitive biological resources information including locational information for sensitive or special-status species.

California Government Code section 7922.000 provides that an agency may withhold information from disclosure where the public interest served by nondisclosure clearly outweighs the public interest of disclosure. The application asserts that the public interest served by not disclosing the information clearly outweighs the public interest served by the disclosure of this information. According to the applicant, not disclosing the information protects sensitive biological resources since Figure 3.2-5a contains locational and other sensitive information relating to special status species.

#### **Executive Director's Determination**

Based on the applicant's claim and a review of Figure 3.2-5a, the applicant has made a reasonable claim under the law that authorizes the granting of confidential status indefinitely.

### **4) Appendix 3.3A, Archaeological Resources Management Report**

The applicant states that the cultural resources documents, which include maps, Department of Parks and Recreation cultural resource forms, studies, and materials obtained from the California Historical Resources Information System, should be kept confidential indefinitely to protect potential cultural resources and sites. According to the application, the public interest served in nondisclosure and protection of cultural resources outweighs that of disclosure. Disclosing the information may enable location of sensitive cultural resources by thieves, vandals, or persons conducting unauthorized collection of materials.

The California Public Records Act provides for the nondisclosure of archaeological site information and records of Native American places, features, and objects and reports maintained by, or in the possession of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the Native American Heritage Commission, another state agency, or a local agency. (Gov. Code, §§ 7927.000, 7927.005.) The California Public Records Act also recognizes the confidentiality principles of federal law. (Gov. Code § 7927.705.)

The Archaeological Resources Protection Act establishes a clear, national legal policy that all types of archaeological and cultural resource site locations on public lands must be protected to preserve them. (54 U.S.C. § 306131.)

#### **Executive Director's Determination**

The applicant has made a reasonable claim that the location information contained in the various reports, studies, maps and Department of Parks and Recreation forms can be maintained as confidential indefinitely. As such, the applicant's request for confidential designation is granted.

## **5) Confidential Appendix 3.8A, Paleontological Resources Records Search Letter**

The Paleontological Resources Records Search Letter contains locational and other sensitive information relating to paleontological resources. The applicant states California Government Code section 7922.000 provides that an agency may withhold information from disclosure where the public interest served by nondisclosure clearly outweighs the public interest of disclosure. The public interest in nondisclosure outweighs that of disclosure, as disclosure may reveal the location of sensitive paleontological resources to entities conducting unauthorized collection or disturbance of such resources.

In addition to the public interest basis set forth in the application, the Paleontological Resources Preservation Act of 2009 provides for the protection of paleontological resources and states that information concerning the nature and specific location of a paleontological resource shall be exempt from disclosure under 5 U.S.C. section 552 and any other law (16 U.S.C. § 470aaa-8).

### **Executive Director's Determination**

The applicant has made a reasonable claim that the paleontological records showing location information should be maintained as confidential indefinitely. As such, the applicant's request for confidential designation for the paleontological records is granted.

You may request that the CEC determine the confidentiality of records for which the executive director denied confidential designation. You have 14 days to request that the CEC determine the confidentiality of the record. If you make such a request, the CEC will conduct a proceeding under the provisions in the California Code of Regulations, title 20, section 2508. The CEC is not aware of any economic harm resulting from its disclosure.

Be advised that persons may petition to inspect or copy records that have been designated as confidential, the executive director may disclose, or release records previously designated as confidential in certain circumstances, and the CEC may hold a hearing to determine the confidentiality of its records on its own motion or on a motion by CEC staff. The procedures and criteria for disclosing or releasing, filing, reviewing, and acting upon such petitions or motions are set forth in the California Code of Regulations, title 20, sections 2506 through 2508.

Any related subsequent submittals can be deemed confidential, without the need for an application, by following the procedures set forth in California Code of Regulations, title 20, section 2505(a)(4).

Sam Littlefield  
July 21, 2025  
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If you have questions, please email [confidentialityapplication@energy.ca.gov](mailto:confidentialityapplication@energy.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Drew Bohan', with a stylized flourish at the end.

Drew Bohan  
Executive Director