

DOCKETED

Docket Number:	23-OPT-02C
Project Title:	Darden Clean Energy - Compliance
TN #:	266721
Document Title:	FCFPD Request for Confidentiality Application
Description:	Confidentiality Application
Filer:	Joseph Andrew Cosentino
Organization:	Fresno County Fire Protection District
Submitter Role:	Public Agency
Submission Date:	10/21/2025 11:38:36 AM
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To: Drew Bohan, Executive Director California Energy Commission

Subject: Application for Confidential Designation for the Fire Service Agreement between Fresno County Fire Protection District and IP Darden

Docket Number 23-OPT-02 Darden Clean Energy Project

Mr. Bohan:

The Fresno County Fire Prevention District (FCFPD) requests that the attached information be designated as confidential pursuant to 20 California Code of Regulations (CCR) Section 2505. This information is being supplied to the California Energy Commission (CEC) in response to Worker Safety – 12 of the Darden Clean Energy Project Updated Staff Assessment. IP Darden is aware of our filing for confidentiality and supports a submittal as such.

To support the Application for Confidential Designation, the following information has been provided and is consistent with the information requested in the Application for Confidential Designation (Title 20 Cal. Code. Regs., § 2505 Et Seq.) Revised 4/2023.

Applicant: FCFPD
Address: 210 S. Academy Avenue
Sanger, CA 93657

1. Title, date and description (including number of pages) of the record for which you request confidential designation:

Title: FIRE PROTECTION AGREEMENT AND SERVICES AGREEMENT BETWEEN THE FRESNO COUNTY FIRE PROTECTION DISTRICT AND IP DARDEN I, LLC, IP DARDEN II, LLC, IP DARDEN III, LLC, AND IP DARDEN IV, LLC

Date: 10/10/2025

Number of Pages: 22

2. Specify the part(s) of the record for which you request confidential designation:

The entirety.

3. State and justify the length of time the Commission should keep the record confidential:

This agreement should be kept confidential in perpetuity or until it has been made public by the FCFPD.

4. State the provisions of the Public Records Act or other law that allows the Commission to keep the record confidential, and explain why the provision(s) apply to that material.

This agreement is specific to the IP Darden project and could be used by other Solar Developers submitting projects through other means than the CEC, to not follow the ordinance and resolution the Fire District has adopted for Solar/BESS Development in Fresno County. The Darden project does not follow the methodology presented by Fresno County Fire Protection District due to the CEC determination through Worker Safety – 12.

5. Discuss the public interest in nondisclosure of the record. If the record contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, please also state how it would be lost, the value of the information to the applicant, and the ease or difficulty with which the information could be legitimately acquired or duplicated by others.

The public interest will be served by nondisclosure by respecting ownership of intellectual property. Sharing such information without prior public disclosure by the owner(s) or pursuant to owner authorization would set an undesirable precedent for future use of methodology and impinge on the rights of the owner(s).

6. State whether the record may be disclosed if it is aggregated with other information or masked to conceal certain portions (including but not limited to the identity of the applicant). State the degree of aggregation or masking required. If the data cannot be disclosed even if aggregated or masked, explain why.

It cannot be aggregated or masked with other information for obvious reasons.

7. State how the record is kept confidential by the applicant and whether it has ever been disclosed to a person other than an employee of the applicant. If it has, explain the circumstances under which disclosure occurred.

Detailed information about the agreement has been shared between IP Darden and FCFPD only and each entity's legal representatives.

I certify under penalty of perjury that the information contained in this application for confidential designation is true, correct and complete to the best of my knowledge and I am authorized to make the application and certification on behalf of the applicant.

Joseph A. Cosentino

A handwritten signature in black ink that reads "Joseph A. Cosentino". The signature is written in a cursive style with a large, stylized "J" and "C".

Fresno County Fire Protection District