

DOCKETED

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October 24, 2025

Via Email

Jonathan Johnson
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Newport Beach, California 92660
jon@gsregistry.org

**Application for Confidential Designation
Docket Number 25-BSTD-01**

Dear Jonathan Johnson:

The California Energy Commission (CEC) received Golden State Registry's (applicant) applications for confidential designation docketed September 18, 2025, (TN 266055 and 266056) covering the following data:

- Exhibit P1 supplement
- Registry Application R1 and R2

Golden State Registry requests that Exhibit P1 supplement be kept confidential indefinitely and Registry Application R1 and R2 be kept confidential for a period of six years or two code cycles, consistent with prior practice. The applicant asserts that the Registry Application R1 and R2 contain proprietary and trade secrets information regarding system operations, document lifecycle controls, electronic signature workflows, validation logic, data-management practices, and related technical and operational methods. In addition, the applicant states that both documents contain personal and identifying information including home addresses, social security numbers, and phone numbers. The applicant notes that information for which confidential designation is sought is maintained as confidential by the applicant and has only been disclosed to authorized staff. The applicant states that a public version of the documents will be docketed with sensitive content redacted.

Confidentiality Claims

Proprietary Business Information and Trade Secrets

An application for confidential designation shall be granted under the 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." The executive director's determination made in response to an application for confidential designation is subject to a reasonableness standard. It is the applicant's burden

to make a reasonable claim for confidentiality based on the California Public Records Act and other applicable laws.

The California Public Records Act allows for the non-disclosure of trade secrets including, among others, those records exempt from disclosure under the Uniform Trade Secrets Act. (Gov. Code, §§ 7927.705(k), 7930.005, 7930.205; Civ. Code, § 3426.1; Evid. Code, § 1060.)

Civil Code section 3426.1(d) defines “trade secret” as:

[I]nformation, including a formula, pattern, compilation, program, device, method, technique, or process, that: (1) Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and (2) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

(Civ. Code, § 3426.1(d); See also Gov. Code, §§ 7927.705, 7930.005, 7930.205; Evid. Code, § 1061(a); *Uribe v. Howie* (1971) 19 Cal.App.3d 194, 207.)

California Code of Regulations, title 20, section 2505(a)(1)(D), states that if an applicant for confidential designation believes that the record should not be disclosed because it contains trade secrets, the application shall state: (1) the specific nature of the advantage, (2) how the advantage would be lost, (3) the value of the information to the applicant, and (4) the ease or difficulty with which the information could be legitimately acquired or duplicated by others.

Personnel Information

Government Code section 7927.700 allows an agency to withhold personnel, medical, or similar files the disclosure of which would constitute an unwarranted invasion of privacy.

Discussion

The applicant addresses the four elements in California Code of Regulations, title 20, section 2505(a)(1)(D) for the Registry Application R1 and R2 by stating:

- 1) *The specific nature of the advantage* – The application material includes information regarding the applicant’s system operations, document lifecycle controls, electronic signature workflows, validation logic, data-management practices, and related technical methods. This information is not publicly available and reflects non-public design and operational methods.

- 2) *How the advantage would be lost* – Disclosure would compromise security controls and enable reverse engineering, harming the applicant's competitive position and the program's integrity.
- 3) *The value of the information to the applicant* – Disclosure would cause competitive harm and because digital duplication is trivial, dissemination would be widespread and irreversible.
- 4) *The ease or difficulty with which the information could be legitimately acquired or duplicated by others* – The information is only accessible to authorized staff.

The applicant has made a reasonable claim that the Registry Application R1 and R2 should be maintained as confidential as proprietary and trades secrets.

In addition, the documents contain personal information such as home addresses, social security numbers, and telephone numbers. The applicant has made a reasonable claim that the documents be granted confidentiality under Government Code section 7927.700 as personnel information, the disclosure of which would constitute an unwarranted invasion of privacy.

Executive Director's Determination

For the reasons stated, confidentiality is approved for Exhibit P1 supplemental information and Registry Application R1 and R2. The proprietary information and trade secrets contained in Registry Application R1 and R2 will be maintained as confidential for a period of six years, or two additional code cycles. The personal and identifying information in both documents will be maintained as confidential indefinitely. The applicant notes that a public version of the documents will be docketed with sensitive content redacted including trade secret technical details and personal and identifying information.

Be advised that under California Code of Regulations, title 20, section 2506, one may petition to inspect or copy records that the CEC has designated as confidential. A decision on a petition to inspect or copy confidential records is issued by the CEC's chief counsel. Under California Code of Regulations, title 20, section 2507, the executive director may disclose records, or release records previously designated as confidential, in certain circumstances. The procedures for acting on a petition and criteria for disclosing or releasing records previously designated as confidential are set forth in California Code of Regulations, title 20, sections 2506-2508.

If you have questions, please email confidentialityapplication@energy.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'Drew Bohan', with a stylized, flowing script.

Drew Bohan
Executive Director