

DOCKETED	
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Document Title:	CEC Response to Los Esteros Critical Energy's Repeated Application for Confidentiality
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Via Email

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**Repeated Application for Confidential Designation
Docket No.: 03-AFC-02C**

Dear Samantha Neumyer and Jeffery Harris:

The California Energy Commission (CEC) has received Los Esteros Critical Energy Facility's (applicant) repeated application (TN 266368) for confidential designation, docketed October 7, 2025, for the following:

- Busby, Colin I. 2002a. Memorandum to Mr. Jerry Salamy, CH2M Hill, Initial Results Los Esteros [Critical Energy Facility (LECEF)], San Jose, Santa Clara County Presence/Absence Testing Program [completed] February 16, 2002. Dated February 22, 2002. Basin Research Associates, San Leandro California.
- Busby, Colin I. 2002b. Memorandum to John Larsen and Steve De Young, Calpine and Jerry Salamy, CH2M Hill. Los Esteros Critical Energy Facility [LECEF], City of San Jose, Santa Clara County. Field Report; Mechanically Assisted Presence/Absence Testing of the Los Esteros Critical Energy Facility [LECEF], San Jose, Santa Clara County Access Road and Linear Alignments. Basin Research Associates, San Leandro California.

The applicant states that substantially similar records were previously determined by the CEC's executive director to be confidential indefinitely (Docket No. 03-AFC-02C, TN 262223). The applicant asserts, under penalty of perjury, that the documents submitted contain information that is substantially similar to previously submitted information that was granted confidential designation, and all facts and circumstances relevant to the confidentiality of the information remain unchanged.

California Code of Regulations title 20, section 2505(a)(4) provides:

If an applicant is seeking a confidential designation for information that is substantially similar to information that was previously deemed confidential by the Commission pursuant to section 2508, or for which an

application for confidential designation was granted by the Executive Director pursuant to subdivision (a)(3)(A) of this section, the new application need contain only a certification, executed under penalty of perjury, stating that the information submitted is substantially similar to the previously submitted information and that all the facts and circumstances relevant to confidentiality remain unchanged. An application meeting these criteria will be approved.

The applicant has met the requirements for confidential designation of the above information as a repeated application. Confidentiality is granted indefinitely, under the same terms as those in the initial letters granting confidentiality.

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.