

DOCKETED

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Project Title:	2025 Energy Code Compliance Provider Applications
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Document Title:	CEC response to Golden State Registry's application for confidentiality (TN 268907)
Description:	N/A
Filer:	Marianna Brewer
Organization:	California Energy Commission
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April 2, 2026

Via Email

Jonathan Johnson
Golden State Registry
405 Villa Point Drive
Newport Beach, CA 92660
training@gsregistry.org

**Application for Confidential Designation
Docket No. 25-BTSD-01**

Dear Jonathan Johnson:

The California Energy Commission (CEC) has received Golden State Registry's (applicant) Application for Confidentiality docketed March 2, 2026 (TN 268907). The application covers the following document submitted for the 2025 Energy Code Compliance (ECC) Program Provider Application:

- Ex. F1: ECC Rater Notice of Violation
- Ex. F2: ECC Rater Notice of Probation
- Ex. F3: ECC Rater Notice of Suspension
- Ex. F4: ECC Rater Notice of Decertification
- Ex. F5: ECC Rater Company Notice of Violation
- Ex. F6: ECC Rater Company Notice of Probation
- Ex. F7: ECC Rater Company of Suspension
- Ex. F8: ECC Rater Company of Decertification
- Ex. F9: ECC Rater Company of Declaration of Separation of Services

The applicant states that the above documents in their entirety should be kept confidential for three months and are exempt from disclosure because the public interest served by withholding the information clearly outweighs the public interest served by disclosure.

Confidentiality Claims

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 [California Energy] Commission to keep the record confidential."

Public Interest Balancing Test

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A record that does not fall within any express PRA exemption may nonetheless be withheld if the agency can demonstrate “that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.” (Gov. Code, § 7922.000 [formerly Gov. Code, § 6255, subd. (a)].)

The applicant has not made a reasonable claim that the public interest served by not disclosing the records clearly outweighs the public interest served by disclosure of the record. The applicant states that it is in the public interest to protect these enforcement template documents, which is a required part of the ECC Program Provider Application, while CEC conducts its regulatory review of them. According to the applicant, premature disclosure of draft enforcement template documents during active review may cause confusion, misinterpretation, or reliance upon forms not yet approved.

It would be unreasonable for the public to rely on application materials that had not been approved by the applicable regulatory agency. The public interest does not justify shielding this information from the public, nor does it justify the administrative burden for providing confidentiality for a temporary three-month period.

Executive Director’s Determination

The applicant does not make a reasonable claim that the law authorizes CEC to keep the records confidential as required in section 2505(a)(3)(A). As such, confidentiality is denied for Exhibits F1 through F9. Within 14 days of the date of this letter, the applicant shall file Exhibits F1 through F9 in docket No. 25-BTSD-01.

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.

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

Sincerely,



Drew Bohan
Executive Director