

DOCKETED

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Project Title:	2025 Energy Code Compliance Provider Applications
TN #:	270205
Document Title:	CEC Response to Golden State Registry Application for Confidential Designation
Description:	TN 269199 and 269205
Filer:	Christina Adkins
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March 24, 2026

Via Email

Jonathan Johnson
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training@gsregistry.org

Application for Confidential Designation Docket No. 25-BSTD-01

Dear Jonathan Johnson:

The California Energy Commission (CEC) has received Golden State Registry's (applicant) Applications for Confidentiality, docketed March 16, 2026 (TN 269199 and 269205). The applications cover the following documents submitted for its Energy Code Compliance (ECC):

- Exhibit T4 — ECC Rater Company & Primary Rater Training Course (2025 Code Edition) Updated 03/14/2026
- Exhibit Q2 — Quality Assurance Personnel and Qualifications

The applicant states that the ECC Rater Company & Primary Rater Training Course document should be kept confidential and is exempt from disclosure because the information to be protected contains proprietary business information and trade secrets and would otherwise cause a loss of competitive advantage.

The applicant states the Quality Assurance Personnel and Qualifications document should be kept confidential and is exempt from disclosure because the information comprises confidential personnel and organizational information including the identities and qualifications of personnel responsible for conducting Quality Assurance reviews, complaint investigations, and disciplinary oversight within the ECC program. Applicant requests confidentiality for both documents for three years.

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."

Trade Secrets

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

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. Additionally, 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.

Executive Director’s Determination

The CEC has reviewed and determined the applications contain the required information under section 2505(a)(1)(D) to support the applicant’s assertion that the applications should be exempt from disclosure as a trade secret and as confidential personnel information. The public interest served by not disclosing this information also clearly outweighs the public interest served by disclosure. The applicant makes a reasonable claim that the law authorizes the CEC to keep the records confidential as required in section 2505(a)(3)(A). As such, confidentiality is granted for the period of three years from the date of this letter.

Be advised that persons may petition to inspect or copy records that have been designated as confidential, the executive director may disclose, or release

Jonathan Johnson

March 24, 2026

Page 3

records previously designated as confidential in certain circumstances, and the CEC may hold a hearing to determine the confidentiality of the 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.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Drew Bohan', with a long horizontal stroke extending to the right.

Drew Bohan
Executive Director