

DOCKETED

Docket Number:	21-AFC-02C
Project Title:	Willow Rock Energy Storage Center – Compliance
TN #:	271264
Document Title:	California Energy Commission Response to Willow Rock Project
Description:	TN271172
Filer:	Christina Adkins
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	7/6/2026 8:42:36 AM
Docketed Date:	7/6/2026



July 6, 2026

Via Email

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**Repeated Application for Confidential Designation
Docket No: 21-AFC-02C**

Dear Jeffery D. Harris:

The California Energy Commission (CEC) has received GEM A-CAES, LLC'S (applicant) repeated application for confidential designation, docketed July 2, 2026 (TN 271172), for the following:

- Cultural Resources Technical Memorandum, including Cultural Resource Mapping

The applicant states that these records were previously determined by the CEC's executive director to be confidential indefinitely (21-AFC-01C, TN 265360). The applicant asserts, under penalty of perjury, that the documents submitted contain information 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 letter 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.