

DOCKETED

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Via Email

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

Dear Jeffery D. Harris:

The California Energy Commission (CEC) has received Los Esteros Critical Energy Facility, LLC's (applicant) repeated application for confidential designation, docketed June 26, 2026 (TN 271053), for the following:

- Confidential Attachment DR-A64: Electronic calculation spreadsheets that are the basis of the emission calculations, AERMOD input/output files and other electronic support data, provided to CEC Staff via *Kiteworks* or *One Drive* link; and
- Confidential Attachment DR-A65: Technical Memorandum Emission Factors for Select Compounds Formed from Thermal Runaway and Fire from LFP Batteries.

The applicant states that these records were previously determined by the CEC's executive director to be confidential for the life of the facility (03-AFC-02C, TN 267113). The applicant asserts, under penalty of perjury, that the document submitted contains 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 for the life of the facility, 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.