

DOCKETED

Docket Number:	21-AFC-02C
Project Title:	Willow Rock Energy Storage Center – Compliance
TN #:	272211
Document Title:	DCBO Application for Confidentiality
Description:	Confidentiality request for commercial information
Filer:	Shannon Hunter
Organization:	NV5, Inc.
Submitter Role:	Other Interested Person
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APPLICATION FOR CONFIDENTIAL DESIGNATION

(Title 20 Cal. Code. Regs., § 2505 et seq.)

CEC13 (Revised 04/2023)

CALIFORNIA ENERGY COMMISSION

Any person submitting a record to the CEC must specify if it should be designated a confidential record by providing an application for confidential designation. The application, which is not confidential, will be reviewed and acted upon by the executive director in consultation with the chief counsel. The CEC's process for reviewing and designating records as confidential can be found at California Code of Regulations, title 20, section 2505.

Filing Process

Applications for confidentiality, and the confidential documents, must be uploaded directly to the Docket Unit through the efilings system. Individual documents cannot exceed 30 MB. Applications submitted directly to staff and not to the Docket Unit will not be acted on and the documents may be subject to disclosure. For filings not associated with any specific proceeding, the application and relevant records shall be filed into docket **22MISC01**. Links to the efilings system are provided on most proceeding webpages labeled "**Submit efilings**." Alternatively, go directly to the [efiling login page](https://efiling.energy.ca.gov/Login.aspx?perms_1&returnurl=http%3A//efiling.energy.ca.gov/EFiling/EfileSelect/Proceeding.aspx): https://efiling.energy.ca.gov/Login.aspx?perms_1&returnurl=http%3A//efiling.energy.ca.gov/EFiling/EfileSelect/Proceeding.aspx

For additional information on efilings see: CEC's Efilings and Ecommenting System [User's Training Guide](https://www.energy.ca.gov/sites/default/files/202003/Efiling_User_Training_Guide_Feb2020_ADA.pdf), https://www.energy.ca.gov/sites/default/files/202003/Efiling_User_Training_Guide_Feb2020_ADA.pdf. Registration is necessary the first time documents are uploaded. After registering, to submit a confidential filing click on **Quick Actions** from the **DASHBOARD** and select **Submit Confidential efilings** from the dropdown list. The application must be uploaded first followed by one or more confidential files. **Failure to follow these steps may result in confidential material becoming public.** If you have questions regarding the filing process, contact the Docket Unit at docket@energy.ca.gov.

The following are some of the processes for requesting confidentiality of records:

A. Repeated Applications for Confidentiality (20 CCR 2505 (a)(4).)

These are applications claiming that the CEC has previously found the data confidential. It is not necessary to include legal arguments. If you are filing your request on this basis submit a letter including, the date and transaction number of the CEC's original determination letter if known and a certification that the records at issue are substantially similar to the records previously designated as confidential, and that the facts and circumstances have not changed.

B. Automatic Confidentiality for certain categories of data (20 CCR 2505 (a)(5).)

C. Records provided by Public Agencies (20 CCR 2505(b).)

D. Standard Applications for Confidentiality (20 CCR 2505(a)(1).)

These applications require the applicant to present a legal basis for a determination that the information submitted should be held as confidential and not subject to disclosure. A deficient or incomplete application may be subject to requests for clarification or be returned to the applicant with a statement of its defects.

For standard applications, provide a written letter (application for confidentiality) containing complete responses to the information requested below in the following order:

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1. Contact Information: (20 CCR 1208.1.)Applicant Name: [Kevin Wedman, NV5 Inc.](#)

Phone Number: [916.600.9964](#)

E-mail: kevin.wedman@nv5.com

Proceeding Name: [Willow Rock Energy Storage Center](#)

Docket Number: [21-AFC-02](#)

2. Title, date, and description (including number of pages) of the information or data for which you request confidential designation. (20 CCR 1208.1.)

[NV5, Inc. is requesting confidential designation of Exhibit B - Attachment 2, Budget Details included in Agreement Number 700-25-001 signed January 13, 2026.](#)

3. Specify the part(s) of the information or data for which you request confidential designation. (If the data is in charts or spreadsheets, highlighting is sufficient.) (20 CCR 2505(a)(1)(B.))

[Exhibit B - Attachment 2, Budget Details](#)

4. State and justify the length of time the CEC should keep the information or data confidential. The term requested must be relevant to the stated basis for confidentiality. (20 CCR 2505(a)(1)(C.))

[NV5, Inc. is requesting permanent confidential designation of the Budget Details included in Exhibit B - Attachment 2. The information contained in this portion of Agreement Number 700-25-001 are considered Proprietary Information/Confidential Business information and should be prohibited from disclosure.](#)

5. State the provision(s) of the California Public Records Act or other law that allows the CEC to keep the information or data confidential and explain why the provision(s) apply to that material. (See Gov. Code, §§ 7920.000-7930.215.) (20 CCR (a)(1)(D.))

[Information contained in Exhibit B-Attachment 2, Budget Details contained in the Agreement contains trade secrets and proprietary information/confidential business information. Disclosure would cause a loss of competitive advantage by allowing competitors to use this information for their own business benefit and undermining the market position of NV5, Inc.](#)

6. If the applicant believes that the information or data should not be disclosed because it contains trade secrets or its disclosure would otherwise cause a loss of a competitive advantage, the application also shall state: (20 CCR (a)(1)(D.))

(a) the specific nature of that advantage: [Disclosure of this information would allow competitors to use information to their own benefit and thereby undermining the market position of NV5, Inc.](#)

(b) how the advantage would be lost: [Disclosure of pricing details can allow competitors to undercut prices, a loss of pricing flexibility and ability to fairly negotiate rates. Disclosure would also allow other firms to reverse engineer operations potentially revealing confidential operational processes.](#)

(c) the value of the information to the applicant, and: [As a publicly traded company, the confidentiality of billing and terms included in NV5's commercial agreements are essential.](#)

(d) the ease or difficulty with which the information could be legitimately acquired or duplicated by others: [If not kept confidential this information would be easily obtained through a public records request. Once obtained this information could immediately be used by others to undermine NV5's competitive market advantage.](#)

7. State whether the information or data can be disclosed if it is aggregated with other information or masked to conceal certain portions. State the degree of aggregation or masking required. If the



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data cannot be disclosed even if aggregated or masked, explain why. (20 CCR 2505(a)(1)(E.))

No information in this Exhibit B - Attachment 2, Budget Details should be disclosed. The entirety of this section of the agreement contains proprietary information/confidential business information.

8. State how the information or data is kept confidential by the applicant and whether it has ever been disclosed to a person other than an employee of the applicant. If it has, explain the circumstances under which disclosure occurred. (20 CCR 2505(a)(1)(F.))
This information has been disclosed to the Project Owner in CHIEF BUILDING OFFICIAL AGREEMENT – 21-AFC-02 between the Project Owner, GEM A-CAES LLC, and NV5, Inc. entered into on February 20, 2026. Information has not been disclosed to any other person other an employee of NV5, Inc.
9. At the signature line, include a certification stating: "I certify under penalty of perjury that the information contained in this application for confidential designation is true, correct, and complete to the best of my knowledge." (20 CCR 2505(a)(1)(G.))
10. State whether the applicant is a company, firm, partnership, trust, corporation, or other business entity, or an organization, or association and state that the person preparing the request is authorized to make the application and certification on behalf of the entity, organization, or association. (20 CCR 2505(a)(1)(G.))
NV5, Inc. is a corporate subsidiary entity operating under the publicly traded corporation TIC Solutions.

I certify under penalty of perjury that the information contained in this application for confidential designation is true, correct, and complete to the best of my knowledge.

A handwritten signature in blue ink, appearing to read "Kevin Wedman", written over a horizontal line.

Kevin Wedman, Senior Vice President
NV5, Inc.

E: kevin.wedman@nv5.com

PH: (916) 600-9964