DOCKETED	
Docket Number:	26-OPT-01
Project Title:	Vaca Dixon Power Center Project
TN #:	273177
Document Title:	Application for Confidential Designation_Appendix LAND-1
Description:	Application for Confidential Designation for Appendix Land-1
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Submitter Role:	Applicant Consultant
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October 21, 2026

Subject: Application for Confidential Designation Vaca Dixon Power Center Project Appendix LAND-1 Lease Option Agreement and Ground Lease. Docket number 26-OPT-01

To whom it may concern,

Vaca Dixon BESS LLC and Arges BESS LLC, as applicants for the Vaca Dixon Power Center Project, request that the attached information be designated as confidential pursuant to 20 California Code of Regulations (CCR) Section 2505. This information is being supplied to the California Energy Commission (CEC) as Appendix LAND-1 of its opt-in application for the Vaca Dixon Power Center Project docketed on January 6, 2026.

To support the Application for Confidential Designation, the following information has been provided and is consistent with the information requested in the Application for Confidential Designation (Title 20 Cal. Code. Regs., § 2505 Et Seq.).

Applicant: Vaca Dixon BESS LLC and Arges BESS LLC

Address: 4350 Executive Drive, Suite 320, San Diego, California 92121

1(a). Title, date and description (including number of pages) of the record for which you request confidential designation.

Vaca Dixon Power Center Project Appendix LAND-1 Lease Option Agreement and Ground Lease.

1(b). Specify the part(s) of the record for which you request confidential designation.

Appendix LAND-1 in its entirety.

2. State and justify the length of time the Commission should keep the record confidential.

It is requested that Appendix A LAND-1 Lease Option Agreement and Ground Lease for the Vaca Dixon Power Center Project be kept confidential indefinitely. The agreements contain non-public economic terms, negotiated obligations, site-control provisions, development conditions, extension and termination rights, and allocations of commercial risk that derive value from remaining confidential. The parties have maintained the agreements in confidence through contractual confidentiality obligations, restricted access, and disclosure only to personnel, attorneys, consultants, and advisers with a need to know. Public disclosure would undermine these confidentiality obligations and impair the parties' competitive and negotiating positions in connection with the Project and future real-property and energy-development transactions.

3(a). State the provisions of the Public Records Act or other law that allows the Commission to keep the record confidential, and explain why the provision(s) apply to the record.

The agreements contain proprietary commercial information and trade secrets protected under Government Code section 7927.705, Evidence Code section 1060, and Civil Code section 3426.1. Their non-public economic terms, negotiated rights and obligations, and risk-allocation provisions derive value from remaining confidential and are subject to reasonable measures to preserve their secrecy. The agreements are therefore exempt from disclosure under the California Public Records Act.

3(b). Discuss the public interest in nondisclosure of the record. If the record contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, please also state how it would be lost, the value of the information to the applicant, and the ease or difficulty with which the information could be legitimately acquired or duplicated by others.

Disclosure would reveal non-public economic terms, negotiated obligations, and risk-allocation provisions that competitors, landowners, developers, and other counterparties could use to gain an unfair advantage in similar negotiations. This project-specific information cannot be readily obtained or duplicated from public sources. Nondisclosure protects the parties' competitive positions while allowing the public to evaluate site control through the non-confidential information provided in the Project filings.

4. State whether the record may be disclosed if it is aggregated with other information or masked to conceal certain portions (including but not limited to the identity of the applicant). State the degree of aggregation or masking required. If the data cannot be disclosed even if aggregated or masked, explain why.

The agreements cannot meaningfully be aggregated because they are transaction-specific legal instruments. Masking would also be insufficient because confidential commercial terms are integrated throughout the documents and may be revealed through related provisions. Redacting all confidential information would leave fragmented documents with little meaningful information beyond the site-control summary already provided to the CEC. The agreements should therefore remain confidential in their entirety.

5. State how the record 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.

The applicants have not disclosed any of the confidential information to parties other than its employees, attorneys, and consultants working on the Project as well as the third party that prepared the document.

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 and I am authorized to make the application and certification on behalf of the applicant.

Sincerely,
Rincon Consultants