

CALIFORNIA ENERGY COMMISSION1516 NINTH STREET
SACRAMENTO, CA 95814-5512

February 25, 2011

Matt Barns
Covanta Energy
5222 Pirrone Ct
Salida, CA 95368**DOCKET****02-REN-1038**

DATE Feb 25 2011

RECD. Feb 25 2011

**RE: Existing Renewable Facilities Program 2010
Repeated Application for Confidentiality
Pacific Ultrapower Chinese Station
Pacific Oroville Power, Inc
Burney Mountain Power
Mount Lassen Power
Covanta Mendota L.P.
Covanta Delano, Inc.
Docket No. 02-REN-1038**

Dear Mr. Barns:

On January 31, 2011, Pacific Ultrapower Chinese Station, Pacific Oroville Power, Inc, Burney Mountain Power, Mount Lassen Power, Covanta Mendota L.P. and Covanta Delano, Inc filed a Repeated Application for Confidentiality in the Docket No. 02-REN-1038. The Repeated Application seeks confidentiality for information related to the 2010 Funding Eligibility Existing Renewable Facilities Program Application. The information submitted is substantially similar to information that was previously deemed confidential by the Energy Commission in 2009 and again in 2010. Specifically, the Application seeks repeated confidentiality for: ¹

- Line 21 – Total State Tax Credits Received by Facility
- Line 22 – Total Federal Tax Credits Received by Facility
- Line 23 – market Value of the Facility
- Line 24 – Explanation of how incentive payments will allow the facility to become cost-competitive by the end of the 2011 calendar year
- Line 27 – Estimate of the target price needed in order to ensure the continued operation of the facility through the application year
- Line 28 – Estimate of the production incentive cap needed

¹ The Repeated Application for Mount Lassen and Burney Mountain Power also included two additional line numbers, Line 13 *Energy Contract* and Line 19 *Total funding expected from the CEC's ERFP*. After conversation with Commission staff, the applicant withdrew these two lines from the Repeated Application.

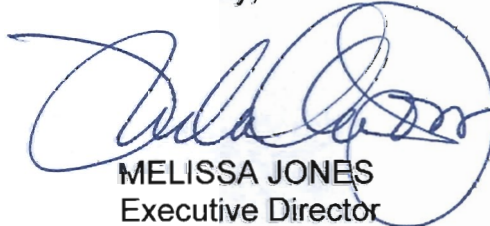
As was noted in the 2009 and 2010 Energy Commission letters granting confidentiality, **subsequently submitted information can be deemed confidential...without the need for a new application if you file a certification under penalty of perjury that the new information is substantially similar to the information granted confidentiality by this determination.**" California Code of Regulations, title 20, sections 2505(a)(1)(G) and 2505(a)(4).

The Repeated Application states under penalty of perjury that information submitted is substantially similar to information previously deemed confidential in 2009 and 2010 accordingly, the data identified above is granted confidentiality under the same continuing terms.

Please note that persons may petition to inspect or copy the records that I have designated as confidential. The procedures and criteria for filing, reviewing, and acting upon such petitions are set forth in the California Code of Regulations, title 20, section 2506.

If you have any questions concerning this matter, please contact Jared Babula, Senior Staff Counsel, at (916) 651-1462.

Sincerely,



MELISSA JONES
Executive Director

cc: Docket Unit
Energy Efficiency & Renewables Division