

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512

May 1, 2008

Mr. Michael J. Carroll
Latham & Watkins LLP
650 Town Center Drive, 20th Floor
Costa Mesa, CA 92626-1925

DOCKET	
07-AFC-3	
DATE	MAY 01 2008
RECD.	MAY 01 2008

**RE: Cultural / Archaeological Records: Application for Confidentiality,
CPV Sentinel Energy Project,
Docket No. 07-AFC-3**

Dear Mr. Carroll:

On April 14, 2008, CPV Sentinel, LLC (Sentinel) filed an application for confidentiality pertaining to the above-captioned docket. The application seeks confidentiality for a USGS 7.5-minute quadrangle map.

Sentinel's application for confidentiality states, in part:

The map is confidential because it includes information regarding the location of archaeological sites and studies. The confidential Cultural Records data are associated with Applicant's Response to CEC data request number 70. . . . ¶ CPV requests that the entirety of the enclosed Cultural Records map be kept confidential indefinitely in order to ensure protection of potentially sensitive resources.

A properly filed application for confidentiality shall be granted under the California Code of Regulations, title 20, section 2505(a)(3)(A), "if the applicant makes a reasonable claim that the Public Records Act or other provision of law authorizes the [Energy] Commission to keep the record confidential."

The California Public Records Act recognizes the confidentiality principles of federal law. (Gov. Code, § 6254(k).) The Archaeological Resources Protection Act (Act) establishes a clear, national legal policy that all types of archaeological, paleontological, and cultural resource site locations must be kept confidential in order to preserve them. (16 U.S.C. § 470hh.) Non-disclosure of the archaeological and cultural resources, such as the information that you have submitted, is expressly in the public interest, to be kept confidential pursuant to the Act. Therefore, Sentinel's application will be granted confidentiality in its entirety, and it will be kept confidential for an indefinite period.

Mr. Michael J. Carroll

May 1, 2008

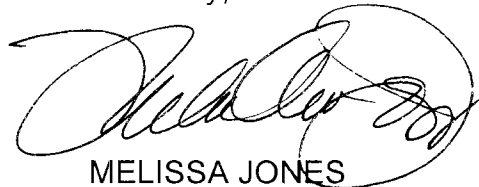
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Please note that any subsequent submittals related to this application can be deemed confidential as specified in this letter without the need for a new application under California Code of Regulations, title 20, sections 2505(a)(1)(G) and 2505(a)(4), if Sentinel files a certification under penalty of perjury that the new information is substantially similar to the information granted confidentiality by this determination.

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 Fernando De Leon, Senior Staff Counsel, at (916) 654-4873.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melissa Jones', enclosed within a circular scribble.

MELISSA JONES
Executive Director

cc: Docket Unit
Energy Commission Project Manager