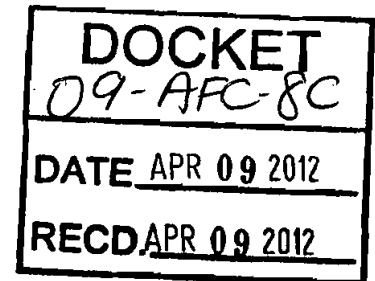


COMPLETED

April 9, 2012

Mr. Rob Oglesby  
Executive Director  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512



**Subject:** *Application for Confidential Designation for the  
Genesis Solar Energy Project (09-AFC-8); Response to CEC Staff  
Data Request For Financial Information*

Dear Mr. Oglesby,

Genesis Solar, LLC, a Delaware limited liability company and wholly owned subsidiary of NextEra Energy Resourced LLC, is the owner of the Genesis Solar Energy Project (09-AFC-8). Genesis Solar, LLC requests that the attached information be designated confidential pursuant to an Application for Confidential Designation under Title 20, Division 2, Chapter 7, Article 2, Section 2505 of the California Code of Regulations (CCR).

In support of its application for confidentiality designation, Genesis Solar, LLC provides the following information:

Applicant: Genesis Solar, LLC  
Address: 700 Universe Boulevard  
June Beach, FL 33408

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

**Response to CEC Staff Data Request For Financial Information (2 pages)**

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

The entire record is confidential.

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

The record should be kept confidential in perpetuity as it contains financial information that is a trade secret, proprietary and subject to contractual terms with third parties that require it to be kept confidential.

3. *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. 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.*

Government Code Section 6254(k) provides for the protection from disclosure of trade secrets. Under the controlling case of Uribe v. Howie (1971) 10 Cal App 3d 194, 207-208, 96 Cal Rptr 493, 500-501:

"A trade secret may consist of any formula, pattern or compilation of information which is used in one's business and which gives him an opportunity to obtain an advantage over competitors who do not know or use it" (Emphasis Added)

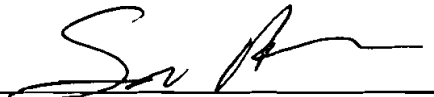
The information submitted is a special compilation of information developed by Genesis Solar, LLC including detailed costs relate to the development of the project including projected generation and revenue losses if certain portions of Unit 1 of the Project were not constructed. This information provides Genesis Solar, LLC with a competitive advantage over potential competitors who may not use the same costs or pricing information as Genesis Solar, LLC. In addition, the provisions of the Power Purchase Agreement with PG&E requires certain information relating to pricing to be kept confidential and Genesis Solar, LLC is providing this information to CEC pursuant to CEC's authorized request for the information pursuant to its regulations. Disclosure of the information is not in the public interest for the same reasons the California Public Utility Commission deems the information confidential in order to preserve the competitive nature of the bidding process for independent energy facilities.

4. *State whether the record may be disclosed if it is aggregated with other information or masked to conceal certain portions (including but 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.*

Masking or aggregating the information for public disclosure would be feasible since it would, in effect, disclose the trade secret, proprietary and contractually confidential information.

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

  
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Scott A Galati  
Counsel for Genesis Solar, LLC