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COMPLETED

May 22, 2012

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

DOCKET 09-AFC-8C
DATE <u>May 22 2012</u>
RECD. <u>May 31 2012</u>

Subject: Repeated Application for Confidential Designation for the
Genesis Solar Energy Project (09-AFC-8); Cultural Resources
CULTURAL RESOURCES RECURRING MONTHLY COMPLIANCE
REPORT SUBMITTALS

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 information described below be designated confidential pursuant to a Repeated Application for Confidential Designation under Title 20, Division 2, Chapter 7, Article 2, Section 2505(a)(4) of the California Code of Regulations (CCR).

In support of its application for Repeated Confidential Designation, Genesis Solar, LLC, provides the following information:

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

This Repeated Application for Confidential Designation covers three additional recurrent cultural resource informational documents titled here as:

**CULTURAL RESOURCES RECURRING MONTHLY COMPLIANCE
REPORT SUBMITTALS**

One (1) hard copy and one (1) electronic copy on CD of this recurrent informational document will be provided to the California Energy Commission under confidential cover at the conclusion of the Genesis Solar Energy Project (09-AFC-8).

This additional information is substantially similar to the cultural resource information which was supplied to the CEC on November 16, 2009 and January 11, 2010; said

confidential cover allegations being incorporated herein. As previously noted, this information is being submitted under 20 CCR 2505(a)(4), which states in pertinent part:

"[a]n applicant ... seeking a confidential designation for information that is substantially similar to information ... for which an application for confidential designation was granted by the Executive Director pursuant to subdivision (a)(3)(A) of this section, the new application need contain only a certification, executed under penalty of perjury, stating that the information submitted is substantially similar to the previously submitted information and that all the facts and circumstances relevant to confidentiality remain unchanged."

The California Public Records Act provides for the nondisclosure of archaeological site information and reports. (Gov. Code, sec. 6254.10.) The Public Records Act also recognizes the confidentiality principles of federal law. (Gov. Code, sec. 6254(k).) The Archaeological Resources Protection Act establishes a clear, national legal policy that all types of archaeological, paleontological resource site locations must be kept confidential in order to preserve them.

I certify under penalty of perjury that the information contained in this Repeated Application for Confidential Designation is substantially similar to the previously submitted cultural resource information and that all the facts and circumstances relevant to confidentiality remain unchanged. Additionally, I certify that all of the information provided is true, correct and complete to the best of my knowledge and I, archaeologist with the AECOM, am authorized to make the application and certification on behalf of the applicant.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Matthew Tennyson", with a long horizontal flourish extending to the right.

Matthew Tennyson, M.A., RPA
Alternate Cultural Resources Specialist, Genesis Solar Energy Project

CC: Jared Babula, Senior Staff Counsel, California Energy Commission