

## DOCKETED

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<b>Project Title:</b>	El Segundo Power Redevelopment Project Compliance
<b>TN #:</b>	201425
<b>Document Title:</b>	Request for Return of Confidential Socioeconomic Records (DR #85)
<b>Description:</b>	N/A
<b>Filer:</b>	Dee Hutchinson
<b>Organization:</b>	Locke Lord LLP
<b>Submitter Role:</b>	Applicant Representative
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Attorneys & Counselors

500 Capitol Mall, Suite 1800  
Sacramento, CA 95814  
Telephone: 916-930-2500  
Fax: 916-930-2501  
www.lockelord.com

John A. McKinsey  
Direct Telephone: 916-930-2527  
Direct Fax: 916-720-0443  
jmckinsey@lockelord.com

December 12, 2013

VIA E-FILING

Mr. Robert Oglesby, Executive Director  
California Energy Commission  
1516 Ninth Street, MS-39  
Sacramento, CA 95814-5512

Re: El Segundo Energy Center Petition to Amend (00-AFC-14C)  
Request for Return of Confidential Socioeconomic Records (DR #85)

Dear Mr. Oglesby:

On September 19, 2013, El Segundo Energy Center LLC ("**ESEC LLC**" or "**Applicant**") docketed Applicant's Request for Return of Confidential Socioeconomic Records (DR #85) (the "**Confidential Data**") in response to the Commission's Data Request Number 85 ("**Data Response 85**") for ESEC LLC's Petition to Amend (the "**Petition**") the El Segundo Energy Center (00-AFC-14C) (the "**Project**"). ESEC LLC's Data Response 85 contains extensive, confidential socioeconomic data and analysis related to ESEC LLC's proprietary business strategies and plans to secure labor, equipment and services for the modified ESEC facility. The Confidential Data constitutes trade secret information that is protected from disclosure under Title 20, California Code of Regulations, Section 2505, and other California law including Government Code Sections 6255 and 6254(k), and Evidence Code Section 1060.

ESEC LLC hereby requests that on or before January 3, 2014, the Energy Commission return to me, at the address set forth above, all of the Confidential Data, including without limitation, all copies and electronic versions of the Confidential Data that are or were at any time between the date hereof and September 19, 2013, in the possession of the Commission, its staff, consultants and/or agents. Concurrently herewith, but under separate cover, ESEC LLC has docketed its revised Data Response 85, which contains non-confidential data pertaining to the socioeconomic impact of the Project's demolition, construction, and operation.

ESEC LLC understands that, pursuant to Title 20, California Code of Regulations sections 2505(a)(2) and (a)(3)(B), the attached information may not be publicly disclosed by the California Energy Commission or its agents or employees while this Application for Confidential Designation, or any appeal of the Commission's determination regarding this Application, remains pending. To confirm that the Commission has maintained the confidentiality of this data, ESEC LLC hereby

requests that the Commission's authorized representative execute and date a copy of this letter in the space provided below, certifying that the returned Confidential Data remains confidential.

ESEC LLC agrees to reimburse the Commission for any costs associated with the return of all of the Confidential Data to ESEC LLC. Please contact me or my colleague Allison Harris if there are questions about the foregoing request.

Very truly yours,

Locke Lord LLP

By:   
John A. McKinsey  
Attorneys for El Segundo Energy Center LLC

JAM: awph

*The Submitted Record Is Presently Confidential*

The California Energy Commission has not disclosed the Confidential Data to anyone other than its employees, affiliate employees, consultants, and attorneys assisting the Commission with efforts related to the Petition. Furthermore, the California Energy Commission has not released any of the Confidential Data contained in Applicant's Request for Return of Confidential Socioeconomic Records (DR #85) dated September 19, 2013, to any member of the general public or stakeholders, and has prohibited its employees, affiliate employees, consultants and attorneys from releasing to the public any portion of such information at any time.

I certify under penalty of perjury that the information contained in this Application is true, correct, and complete to the best of my knowledge, and that I am authorized to make the above certification and to submit this Application on behalf of the California Energy Commission.

California Energy Commission

By: \_\_\_\_\_  
Robert B. Oglesby,  
Executive Director

Dated: \_\_\_\_\_