

DOCKETED

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Project Title:	CA3 Backup Generating Facility-Vantage
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December 16, 2021

Via Email

Scott Galati
DayZen LLC
1720 Park Place Drive
Carmichael, California 95608
sgalati@dayzenllc.com

**APPLICATION FOR CONFIDENTIAL DESIGNATION: PHASE I CULTURAL
RESOURCES ASSESSMENT CA3 Backup Generating Facility, Docket No.
21-SPPE-1**

Dear Scott Galati:

The California Energy Commission (CEC) received a repeated application for confidential designation submitted by Vantage Data Centers, Inc. on October 28, 2021, covering the following cultural resources report:

Phase I Cultural Resources Assessment, CA3-2590 Walsh Avenue, City of Santa Clara, Santa Clara County, California, prepared by First Carbon Solutions, dated April 1, 2021; Revised August 18, 2021, and October 12, 2021.

The application states that the report is a second revision to the original Phase I Cultural Resources Assessment that was previously approved and seeks confidential designation pursuant to California Code of Regulations, title 20, section 2505(a)(4).

California Code of Regulations, title 20, section 2505(a)(4) provides that if an applicant seeks “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 [California Code of Regulations, title 20, section 2505], 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. An application meeting these criteria will be approved.”

The application meets the requirements of California Code of Regulations, title 20, section 2505(a)(4). The application states that the report “is substantially similar to the previously submitted information and that all the facts and

circumstances relevant to confidentiality remain unchanged” and is certified and signed under penalty of perjury. As such, the application is approved in its entirety.

Be advised that under California Code of Regulations, title 20, section 2506, one may petition to inspect or copy records that the CEC has designated as confidential. A decision on a petition to inspect or copy records is issued by the CEC’s chief counsel. Under California Code of Regulations, title 20, section 2507, the executive director may disclose, or release records previously designated as confidential in certain circumstances, and the CEC may hold a hearing to determine the confidentiality of its records on its own motion or on a motion by CEC staff. The criteria for disclosing or releasing records previously designated confidential and procedures for acting upon such petitions or motions are set forth in the California Code of Regulations, title 20, sections 2506 through 2508.

If you have any questions concerning this matter, please contact Raj K. Dixit, Attorney III, at (916) 776-3055 or Raj.Dixit@energy.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to be "Drew Bohan", written in a cursive style.

Drew Bohan
Executive Director