

## DOCKETED

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May 23, 2014

VIA E-FILING AND HAND-DELIVERY

El Segundo Energy Center Petition to Amend (00-AFC-14C)  
Robert Oglesby, Executive Director  
Christine Stora, Project Manager  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512

Re: El Segundo Energy Center Petition to Amend (00-AFC-014C)  
Confidential Cultural Resources Data to Further Supplement Data Response 78

Dear Mr. Oglesby and Ms. Stora:

On May 13, 2014, California Energy Commission (the "**CEC**") staff ("**Staff**") docketed at the CEC (as TN# 202327) its Memorandum requesting additional confidential Cultural Resources data related to the CEC's Data Request No. 78 for El Segundo Energy Center LLC's ("**ESEC LLC**") Petition to Amend the El Segundo Energy Center (00-AFC-14C) project (the "**Project**"). In response to Staff's May 13, 2014 Memorandum, ESEC LLC hereby delivers compact disks in Attachment A containing as much of the requested confidential Cultural Resources data as is available in the California Historical Resources Information System ("**CHRIS**") records of Los Angeles and Orange Counties (collectively, the "**Confidential Information**"). ESEC LLC includes with this submission Table DR78-6 Updated, specifying the records requested by Staff that are available in the CHRIS databases searched by ESEC LLC representatives. ESEC LLC also encloses a note from an authorized CHRIS representative confirming that with respect to the records requested by Staff, the CHRIS databases searched by ESEC LLC's representatives contain only the data listed in Table DR78-6 Updated and provided in confidential Attachment A hereof.

ESEC LLC filed that certain Application for Confidential Designation of Cultural Resources Records on September 13, 2013, in response to CEC Data Request Nos. 68 – 82. The CEC designated the associated Cultural Resources records as confidential in that certain CEC Response to Application for Designation of Cultural Resources Records in Response to Data Request Nos. 68 – 82, dated and docketed on October 2, 2013, as CEC TN # 200743 (the "**Confidential Designation**"). Pursuant to the Confidential Designation, any "subsequent submittals related to cultural resources can be deemed confidential" without ESEC LLC filing a new application for confidential designation under California Code of Regulations, Title 20,

section 2505, if ESEC LLC files a certification under penalty of perjury that the new information is substantially similar to the information granted confidentiality by the Confidential Designation.

The enclosed Confidential Information pertains to cultural resources records located at and in the vicinity of the Project site. As this Information is substantially similar to the data granted confidentiality under the Confidential Designation, the enclosed Confidential Information should be deemed confidential as well, and handled accordingly.

ESEC LLC's consultant has not disclosed the enclosed Confidential Information to anyone other than its employees, affiliate employees, consultants, and attorneys assisting ESEC LLC with efforts related to the Project. Furthermore, ESEC LLC has not released any of the information contained in the compact disk to any member of the general public, and has prohibited its employees, affiliate employees, consultants and attorneys from releasing to the public any portion of that information at any time.

I certify under penalty of perjury that the information contained in this letter is true, correct, and complete to the best of my knowledge, and that the enclosed Confidential Information is substantially similar to the information granted confidentiality by the CEC's Confidential Designation. As an attorney for ESEC LLC, I am authorized to make the above certification and to submit this letter on behalf of ESEC LLC.

Locke Lord LLP

By: 

John A. McKinsey  
Attorneys for El Segundo Energy Center LLC

JAM: awph

Enclosures (2 compact disks containing the Confidential Information, to be hand-delivered due to electronic file size)