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June 3, 2022

Mr. Drew Bohan
Executive Director
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

RE: **Gem Energy Storage Center (21-AFC-02) Supplemental Application for Confidential Designation for AFC Data Adequacy Response #2 Cultural Resources Appendix A. Revised Records Search Results Maps and Rosamond A-CAES Facility Project Cultural Resources Assessment Report**

Dear Mr. Bohan:

Pursuant to Sections 2501 *et seq.*, of Title 20 of the California Code of Regulations, GEM A-CAES, LLC (the "Applicant") hereby submits this Repeated Application for Confidential Designation for the following supplemental attachments to *Data Adequacy Response #2*¹, which was submitted in support of the Application for Certification for the Gem Energy Storage Center:

- Appendix A. Revised Records Search Results Maps;
- Montgomery, Kyle, Alyssa Newcomb, and Ryan Glenn. 2021. Cultural Resources Assessment Report for the Rosamond A-CAES Facility Project. Rincon Project No. 20-10466. On file with the South San Joaquin Valley Information Center, California State University, Bakersfield ("Rincon 2021 Report").

By letter dated December 13, 2021, the Executive Director approved the initial request for confidential designation of certain documents relating to cultural resources within the Gem Energy Storage Center area, including confidential literature and archival research submitted by the Applicant.² The supplemental attachments to *Data Adequacy Response #2* listed above contain cultural resources information that is substantially similar to the previously submitted information and all facts and circumstances relevant to the confidentiality of the information remain unchanged; therefore, these attachments should be similarly granted confidential designation. With respect to the Rincon 2021 Report, it is possible that certain portions may be publicly disclosed if sensitive information is removed.

¹ TN#: 243018.

² TN#: 241005.

I certify under penalty of perjury of the laws of the State of California the information described above is substantially similar to the previously submitted information and that all the facts and circumstances relevant to confidentiality remain unchanged. I am authorized to make this repeated application and certification on behalf of the Applicant.

Please contact us at (916) 447-2166 should you have any questions or require additional information. Thank you.

Dated: June 3, 2022

ELLISON SCHNEIDER HARRIS & DONLAN LLP

/s/

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Cc: Linda Barrera, CEC Chief Counsel