

DOCKETED

Docket Number:	81-AFC-01C
Project Title:	Compliance - Application for Certification of the Occidental Plant # 1
TN #:	246128
Document Title:	CEC Response Letter re Geysers Unit 3 & 19 Confidential Application dated August 18, 2022
Description:	N/A
Filer:	Pam Fredieu
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	9/16/2022 9:12:07 AM
Docketed Date:	9/16/2022



September 16, 2022

Via Email

Chase Maxwell
Ellison Schneider Harris & Donlan LLP
2600 Capitol Avenue, Suite 400
Sacramento, California 95816
ckm@eslawfirm.com

**Repeated Application for Confidential Designation
Geysers Unit 3, Sonoma (80-AFC-1C)
Geysers Unit 19, Calistoga (81-AFC-1C)**

Dear Chase Maxwell:

The California Energy Commission (CEC) has received Geysers Power Company, LLC's (GPC or applicant) repeated applications for confidential designation, dated August 18, 2022. The applications cover comment logs that discuss the staff's earlier basis of design (BOD) comments and provide explanations of how GPC has addressed staff comments in the most recently submitted revisions for Geysers Units 3 and 19.

The applications state that these comment logs are basis of design narratives similar to those previously determined to be confidential for the life of the facility in a February 2, 2022, letter.

The repeated applications note that the basis of design narratives for the facilities contain information substantially similar to information previously deemed confidential, and the facts and circumstances relevant to the confidentiality of the information remain unchanged.

California Code of Regulations, title 20, section 2505(a)(4) states:

If an applicant is seeking a confidential designation for information that is substantially similar to information that was previously deemed confidential by the Commission pursuant to section 2508, or 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. An application meeting these criteria will be approved.

The applicant has met the requirements of the repeated application.

Executive Director's Determination

For the reasons stated, the repeated application for confidential designation is approved and confidentiality is granted under the same terms as those in the February 2, 2022, executive director's letter. The basis of the design narrative will be maintained as confidential for the life of the facility.

Be advised that under the 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 confidential records is issued by the CEC's chief counsel. Under the California Code of Regulations, title 20, section 2507, the executive director may disclose records, or release records previously designated as confidential, in certain circumstances. The procedures for acting on a petition and criteria for disclosing or releasing records previously designated as confidential are set forth in the California Code of Regulations, title 20, sections 2506-2508.

You may seek a confidential designation for information that is substantially similar to information for which an application for confidential designation was granted by the executive director by following the procedures in the California Code of Regulations, title 20, section 2505(a)(4).

If you have any procedural questions concerning this matter, please email Jared Babula, attorney, at Jared.babula@energy.ca.gov.

Sincerely,



Drew Bohan
Executive Director