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| <b>Docket Number:</b>   | 79-AFC-01C   |
| <b>Project Title:</b>   | Compliance - Application for Certification for PG&E Geysers Unit 17 (78-NOI-3) |
| <b>TN #:</b>            | 247273   |
| <b>Document Title:</b>  | CEC Response to Geysers Unit 17 Repeated Application for Confidentiality       |
| <b>Description:</b>     | N/A  |
| <b>Filer:</b>           | Patty Paul   |
| <b>Organization:</b>    | California Energy Commission   |
| <b>Submitter Role:</b>  | Commission Staff   |
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November 3, 2022

**Via Email**

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**Repeated Applications for Confidential Designation**

Geysers Unit 3, Sonoma (80-AFC-1C); (TN#s 246646, 246699)  
Geysers Unit 16, Quicksilver (79-AFC-5C); (TN#s 246647, 246700)  
Geysers Unit 17, Lakeview (79-AFC-1C); (TN#s 246648, 246701, 246733)  
Geysers Unit 18, Socrates (79-AFC-3C); (TN#s 246649, 246702)  
Geysers Unit 19, Calistoga (81-AFC-1C); (TN#s 246650, 246703)  
Geysers Unit 20, Grant (82-AFC-1C); (TN#s 246651, 246704)

Dear Chase Maxwell:

The California Energy Commission (CEC) has received Geysers Power Company, LLC's (GPC or applicant) repeated applications for confidential designation dated October 18, 2022 (six applications), and October 20, 2022 (six applications). These applications cover fire protection inspection, testing, and maintenance (ITM) records and corrective action reports submitted for the projects above. The ITM and corrective action reports were submitted in compliance with the conditions of certification Fire Protection-3, Fire Protection-4, and Fire Protection-5.

The CEC also received GPC's repeated application for confidentiality, dated October 21, 2022, covering the revised basis of design (BOD) narrative and recommissioning plan submitted for Unit 17, Lakeview facility.

The applications state that by letter dated February 2, 2022, the CEC's executive director previously determined the ITM and corrective action reports to be confidential for two years from the report date and the BOD narrative and recommissioning plan to be confidential for the life of the facility. The repeated applications note that the records contain information that is substantially similar to the previously submitted information that was granted confidential designation, and all 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 applications for confidential designation are approved and confidentiality is granted under the same terms as those in the February 2, 2022, letter. The records will be maintained as confidential for two years from the date of the records for the ITM and corrective action reports and for the life of the facility for the revised BOD and recommissioning plan.

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 confidential records is issued by the CEC's chief counsel. Under 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 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 California Code of Regulations, title 20, section 2505(a)(4).

If you have any procedural questions concerning this matter, please email Jared Babula at [Jared.babula@energy.ca.gov](mailto:Jared.babula@energy.ca.gov).

Sincerely,



Drew Bohan  
Executive Director