

<b>DOCKETED</b>	
<b>Docket Number:</b>	13-ATTCP-01
<b>Project Title:</b>	Acceptance and Training Certification
<b>TN #:</b>	250606
<b>Document Title:</b>	CEC Response Letter to NEMIC's April 6, 2023 Confidential Application
<b>Description:</b>	N/A
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<b>Organization:</b>	California Energy Commission
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<b>Docketed Date:</b>	6/12/2023



June 10, 2023

**Via Email**

Lisa Davis  
National Energy Management Institute Committee  
3180 Fairview Park Drive, Suite 400  
Falls Church, Virginia 22042  
[ldavis@nemiconline.org](mailto:ldavis@nemiconline.org)

**NEMIC Repeated Application for Confidential Designation  
Docket No. 13-ATTCP-01**

Dear Lisa Davis:

The California Energy Commission (CEC) has received the National Energy Management Institute Committee's (NEMIC or applicant) application for confidential designation, docketed April 6, 2023. The application requests confidentiality of the following identified documents:

- NEMIC ATTCP 2022 Amended Application\_Draft\_230331
- NEMIC ATTCP Application Amendment 2022\_Clean\_230330
- NEMIC ATTCP Application Amendment 2022\_Redline\_230330

These documents are attachments to NEMIC's amendment to its application to become a Mechanical Acceptance Test Technician Certification Provider (ATTCP) under California Code of Regulations, title 24, section 10-103.2(f). The applicant asserts that substantially similar documents were previously designated by the CEC as confidential on April 21, 2014; June 14, 2016; July 12, 2018; and April 1, 2019. The applicant states that the 2022 NEMIC-amended ATTCP application includes changes to the method in which the audit protocol in the Quality Assurance Program section of the application is proposed, along with editorial and grammatical changes.

The remainder of the document and the reasons for which NEMIC wishes the application to be confidential remain the same. The applicant confirmed, in a conversation between the applicant and the CEC on April 25, 2023, that the information contained in these amended appendices is substantially similar to the previously submitted information, and the facts and circumstances relevant to confidentiality remain unchanged. Further, the applicant states under penalty of perjury that the information contained in the application for confidential designation is true, correct, and complete.

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

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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 applications previously submitted by the applicant were granted based on California Code of Regulations, title 20, section 2505(a)(3)(A). Therefore, the applicant has established the identified records qualify for confidential designation pursuant to California Code of Regulations, title 20, section 2505(a)(4).

### **Executive Director’s Determination**

For the reasons stated, the applicant's confidentiality application is granted. The information subject to this confidentiality designation will be kept confidential until the Acceptance Test Technician Certification Program ends.

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 the California Code of Regulations, title 20, sections 2506-2508.

If you have questions, please email [confidentialapplication@energy.ca.gov](mailto:confidentialapplication@energy.ca.gov).

Sincerely,



Drew Bohan  
Executive Director