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| <b>Docket Number:</b>   | 23-AFC-03   |
| <b>Project Title:</b>   | Black Rock Geothermal Project (BRGP)  |
| <b>TN #:</b>            | 250757  |
| <b>Document Title:</b>  | Response Letter to Black Rock's Application for Confidential Designation May 26, 2023 |
| <b>Description:</b>     | N/A   |
| <b>Filer:</b>           | Ngoc Tran   |
| <b>Organization:</b>    | California Energy Commission  |
| <b>Submitter Role:</b>  | Commission Staff  |
| <b>Submission Date:</b> | 6/27/2023 3:17:48 PM  |
| <b>Docketed Date:</b>   | 6/27/2023   |



June 26, 2023

**Via Email**

Samantha G. Neumyer  
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**Application for Confidential Designation:  
Black Rock Geothermal Project  
Docket No. 23-AFC-03**

Dear Samantha G. Neumyer:

The California Energy Commission (CEC) has received Black Rock Geothermal Project's (applicant) Application for Confidentiality, dated May 26, 2023 (TN 250390), covering the following data:

- Data Adequacy Supplement Appendix DA5.3-1
- Data Adequacy Supplement Appendix DA5.3-2

The applicant seeks confidentiality for the data pursuant to California Code of Regulations, title 20, section 2505(a)(4) as a repeated application.

California Code of Regulations, title 20, section 2505(a)(4) provides: "Repeated Applications for Confidential Designation. If an applicant is seeking a confidential designation for information that is substantially similar to information that was previously deemed confidential by the CEC pursuant to section 2508, or for which an application for confidential designation was granted by the executive director pursuant to 2505(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."

Here, the applicant has attested under penalty of perjury that the information contained in the application is substantially similar to information previously deemed confidential by the CEC under section 2505(a)(3)(A) and that all the facts and circumstances relevant to confidentiality remain unchanged. The previous application was granted May 5, 2023, in response letter TN 250014, docket No. 23-AFC-03.

Therefore, the CEC designates the data as confidential indefinitely. This confidentiality period is consistent with the period previously granted.

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 records is issued by the CEC's chief counsel. Under the California Code of Regulations, title 20, section 2507, the executive director may disclose, 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 in the California Code of Regulations, title 20, sections 2506 to 2507.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Drew Bohan', with a long horizontal stroke extending to the right.

Drew Bohan  
Executive Director