

DOCKETED

Docket Number:	13-ATTCP-01
Project Title:	Acceptance and Training Certification
TN #:	252215
Document Title:	CEC response letter to National Energy Management Institute Committee re August 28, 2023 confidentiality application
Description:	N/A
Filer:	Ngoc Tran
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	9/11/2023 2:09:33 PM
Docketed Date:	9/11/2023



September 11, 2023

Via Email

Lisa Davis
National Energy Management Institute Committee
3180 Fairview Park Drive, Suite 400
Falls Church, Virginia 22042
ldavis@nemiconline.org

**Repeated Application for Confidential Designation: NEMIC ATTCP
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 August 28, 2023 (TN 251976). The application requests confidentiality of the following identified documents:

- NEMIC ATTCP Application Amendment 2022_Clean_230828
- NEMIC ATTCP Application Amendment 2022_Redline_230828

The 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; April 1, 2019; and June 10, 2023. Most recently, the applicant submitted their 2022 Amendment to Application for Nonresidential Mechanical ATTCP on June 21, 2023 (TN 251435) and was granted confidentiality on August 1, 2023. The applicant states that the information contained in the application is not substantially different than the previously submitted information. The applicant states that the remainder of the document and reasons for confidentiality remain the same. Finally, the applicant states under penalty of perjury that the "amended appendices are substantially similar to the previously submitted information and all facts and circumstances relevant for confidentiality 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 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 that the identified record qualifies 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.

Sincerely,



Drew Bohan
Executive Director