DOCKETED

Docket Number:	13-ATTCP-01
Project Title:	Acceptance and Training Certification
TN #:	253753
Document Title:	CEC Response Letter to National Energy Management Institute Committee's Application 11-21-2023
Description:	N/A
Filer:	Ngoc Tran
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	12/26/2023 10:09:31 AM
Docketed Date:	12/26/2023

**CALIFORNIA
ENERGY COMMISSION**

**CALIFORNIA
NATURAL
RESOURCES
AGENCY**

December 26, 2023

Via Email

Andrew J. Graf
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**Repeated Application for Confidential Designation: NEMIC ATTCP
Application Amendment Third Submittal
Docket No. 13-ATTCP-01**

Dear Andrew Graf:

The California Energy Commission (CEC) has received the National Energy
Management Institute Committee's (NEMIC) application for confidential
designation, docketed November 21, 2023 (TN 253286). The application
requests confidentiality of the following identified documents:

- NEMIC ATTCP Application Amendment 2023 (Nov 16, 2023) Redline

- NEMIC ATTCP Application Amendment 2023 (Nov 16, 2023) Clean

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 November 26, 2013 (TN 72379), August 1, 2023
(TN 251437), and September 11, 2023 (TN 252215). Under penalty of perjury,
the applicant states that the information contained in the application is
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). The CEC reviewed the previous applications and agrees that the information contained in the application is substantially similar to the previously submitted information. 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