

<b>DOCKETED</b>	
<b>Docket Number:</b>	23-AFC-01
<b>Project Title:</b>	Morton Bay Geothermal Project (MBGP)
<b>TN #:</b>	254207
<b>Document Title:</b>	Morton Bay Geothermal Project Repeated Application for Confidentiality for Data Response 94
<b>Description:</b>	N/A
<b>Filer:</b>	Deric Wittenborn
<b>Organization:</b>	Ellison Schneider Harris & Donlan LLP
<b>Submitter Role:</b>	Applicant Representative
<b>Submission Date:</b>	1/26/2024 1:17:09 PM
<b>Docketed Date:</b>	1/26/2024

January 26, 2024

Drew Bohan  
Executive Director  
California Energy Commission  
715 P Street  
Sacramento, CA 95814

**RE: Morton Bay Geothermal Project (23-AFC-01): Repeated Application for Confidential Designation for Revised Data Response 94**

Dear Mr. Bohan:

Pursuant to Title 20, section 2505(a)(4) of the California Code of Regulations, Morton Bay Geothermal LLC (the “Applicant”) hereby submits this Repeated Application for Confidential Designation for Revised Data Response 94 (“DRR 94R”), which is comprised of the updated Imperial Irrigation District (“IID”) BHE Cluster System Impact Study (“SIS”) and new Appendix H.

By letter dated May 22, 2023, the Executive Director approved the initial request for confidential designation of certain documents relating to the BHE Cluster SIS submitted by the Applicant.<sup>1</sup> The documents submitted in this updated response to California Energy Commission Staff’s Data Request 94 for the Morton Bay Geothermal Project contains information that is substantially similar to the previously submitted information as it contains updates to the prior BHE Cluster SIS and new Appendix H. All facts and circumstances relevant to the confidentiality of the information remain unchanged, as the Applicant understands that IID has designated the information as confidential. Therefore, this data request response should be similarly granted confidential designation on the same basis. The Applicant notes that a redacted version of the prior BHE Cluster SIS was previously filed, and it is possible that some of the information in DRR 94R can be made publicly available as well.

*I certify under penalty of perjury of the laws of the State of California the information described above is substantially similar to the previously submitted information and that all the facts and circumstances relevant to confidentiality remain unchanged. I am authorized to make this repeated application and certification on behalf of the Applicant.*

Please contact us at 916-447-2166 should you have any questions. Thank you.

Dated: January 26, 2024

ELLISON SCHNEIDER HARRIS & DONLAN LLP

By:  /s/  
Samantha G. Neumyer  
Attorneys for the Applicant

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<sup>1</sup> TN#: 250257.