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| <b>Docket Number:</b>   | 79-AFC-01C  |
| <b>Project Title:</b>   | Compliance - Application for Certification for PG&E Geysers Unit 17 (78-NOI-3)                        |
| <b>TN #:</b>            | 255189  |
| <b>Document Title:</b>  | CEC Response Letter to Applications for Confidential Designation dated Feb 16, 2024 and March 7, 2024 |
| <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> | 3/20/2024 2:49:22 PM  |
| <b>Docketed Date:</b>   | 3/20/2024   |



March 20, 2024

**Via Email**

Chase Maxwell  
Ellison Schneider Harris & Donlan LLP  
2600 Capitol Avenue, Suite 400  
Sacramento, California 95816  
[ckm@eslawfirm.com](mailto:ckm@eslawfirm.com)

Repeated Applications for Confidential Designation

Geysers Unit 3, Sonoma (80-AFC-01C)  
Geysers Unit 16, Quicksilver (79-AFC-05C)  
Geysers Unit 17, Lakeview (79-AFC-01C)  
Geysers Unit 18, Socrates (79-AFC-03C)  
Geysers Unit 19, Calistoga (81-AFC-01C)  
Geysers Unit 20, Grant (82-AFC-01C)

Dear Chase Maxwell:

The California Energy Commission (CEC) has received Geysers Power Company, LLC's (applicant) repeated applications for confidential designation dated February 16, 2024 (TNs 254537; 254538; 254539; 254540, 254541, and 254542) and March 7, 2024 (TNs 254910; 254911; 254912; 254913; 254914, and 254915). These applications seek confidentiality for the following:

- 1) The letters to John Heiser from Chase K. Maxwell on behalf of GPC; Re: Fire Protection-4 and Fire Protection-5, dated February 16, 2024, and March 7, 2024.
- 2) The letter to Keith Winstead from Chase K. Maxwell on behalf of GPC; Re: Fire Protection-4, and Fire Protection-5, dated February 16, 2024, and March 7, 2024.

These letters cover corrective actions for the findings in the inspection, testing, and maintenance ("ITM") reports associated with inspections conducted during 2023 and the first quarter of 2024 for the above listed projects. This information was submitted in compliance with the conditions of certification Fire Protection-4 and Fire Protection-5.

The applications state that by letter dated February 2, 2022, the CEC's executive director determined the ITM reports and corrective actions to be confidential for two years from the report date. The applicant asserts that the ITM reports and corrective actions contain information that is substantially similar to previously submitted information that was granted confidential designation, and all facts and circumstances relevant to the confidentiality of the information remain

unchanged. Staff has reviewed the previous applications and confirmed that the information contained in the ITM reports and corrective actions are substantially similar to the previously submitted information.

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 applicant has met the requirements of the repeated application provisions.

#### **Executive Director's Determination**

For these reasons, the repeated applications for confidential designation are approved and confidentiality is granted under the same terms as those in the February 2, 2022 letter. The records will be maintained as confidential for two years from the date of the records for the ITM reports and corrective action tables.

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

You may seek a confidential designation for information that is substantially similar to information for which an application for confidential designation was granted by the executive director by following the procedures in California Code of Regulations, title 20, section 2505(a)(4).

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

Sincerely,



Drew Bohan  
Executive Director