

DOCKETED

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July 16, 2024

Via Email

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**Repeated Application for Confidential Designation: Willow Rock Energy
Storage Center/GEM A-CAES, LLC
Docket No. 21-AFC-02**

Dear Jeffery D. Harris:

The California Energy Commission (CEC) received Willow Rock Energy Storage Center's (applicant) (formerly GEM A-CAES, LLC), repeated application for confidential designation, dated June 18, 2024 (TN 257035) covering the following documents:

- Cultural Resources Phase II Testing Plan

The applicant states under penalty of perjury that the Cultural Resources Phase II Testing plan contains cultural resources information that is substantially similar to information that was previously determined by the CEC's executive director to be confidential by letter dated May 21, 2024 (TN 256496) and all facts and circumstances relevant to the confidentiality of the information remain unchanged.

California Code of Regulations title 20, section 2505(a)(4) provides:

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 for confidential designation of the above information as a repeated application.

Executive Director's Determination

For the reasons stated, the above-referenced document is designated as confidential indefinitely, consistent with the confidentiality period designated in the May 21, 2024 letter (TN 256496).

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.

Sincerely,

Jennifer Martin-Gallardo

For Drew Bohan
Executive Director