

DOCKETED

Docket Number:	24-OPT-04
Project Title:	Potentia-Viridi Battery Energy Storage System
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Document Title:	Application for Confidential Designation
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Filer:	Jennifer Dorgan
Organization:	Allen Matkins Leck Gamble Mallory & Nats
Submitter Role:	Applicant Representative
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**Levy
Alameda
LLC**

July 31, 2024

California Energy Commission
715 P Street
Sacramento, CA 95814

**Re: Application for Confidential Designation
Potentia-Viridi Battery Energy Storage System
Docket Number 24-OPT-04**

To Whom It May Concern:

Levy Alameda, LLC (“Applicant”), as applicant for the Potentia-Viridi Battery Energy Storage System Project (“Project”), requests that the information identified below be designated as confidential pursuant to California Code of Regulations, title 20, section 2505. This information is being supplied to the California Energy Commission (“CEC”) in support of the Applicant’s opt-in application for the Project.

1. Contact Information. (20 CCR 1208.1)

Applicant Name: Levy Alameda, LLC

Address: c/o Allen Matkins Leck Gamble Mallory & Natsis LLP, 3 Embarcadero Center, Suite 1200, San Francisco, CA 94111

Phone Number: 310-899-5340

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Proceeding Name: Potentia-Viridi Battery Energy Storage System

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2. Title, date, and description (including number of pages) of the information or data for which you request confidential designation. (20 CCR 1208.1.)

Appendix	Title	Date	Description	Pages
2B	Transmission Line Designs	July 2024	Details of the transmission line route and design	34
2D	Interconnection Study	February 12, 2021	Queue Cluster 13 Phase I Interconnection Study Report for Potentia-Viridi Project	42
		November 22, 2021	Queue Cluster 13 Phase II Interconnection Study Report for PG&E Greater Bay Area	4,462
2E	Interconnection Agreement	October 31, 2022	Large Generator Interconnection Agreement Among Levy Alameda, LLC, Pacific Gas and Electric Company, and California Independent System Operator Corporation for Potentia-Viridi Project	130
3.2C	CNDDDB Map	July 2024	Map of search results of records in the California Natural Diversity Database (“CNDDDB”)	4
3.3B	Cultural Records Search Results and NAHC Records	August 2023	Results of searches of the California Historical Resources Information System and the Native American Heritage Commission’s Sacred Lands File	36
3.8B	Paleontological Records Search Results	February 16, 2024	Search results of paleontological resources records of the Natural History Museum of Los Angeles County	4
3.10A	Socioeconomic Study	July 15, 2024	Study of the Project’s socioeconomic impacts	58

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- 3. Specify the part(s) of the information or data for which you request confidential designation. (If the data is in charts or spreadsheets, highlighting is sufficient.) (20 CCR 2505(a)(1)(B.))**

Appendix 2B (Transmission Line Designs)

Appendix 2B (Transmission Line Designs) should be designated confidential in its entirety to preserve confidentiality of the Applicant's trade secrets and commercially sensitive information related to Project costs, and to protect sensitive information related to the design of energy infrastructure.

Appendix 2D (Interconnection Study)

Appendix 2D (Interconnection Study) should be designated confidential in its entirety to preserve confidentiality of the Applicant's trade secrets and commercially sensitive information, and because the California Independent System Operator ("CAISO") has designated it as confidential to protect commercially sensitive information that can give competitors and/or potential partners/offtakers an advantage.

Appendix 2E (Interconnection Agreement)

Appendix 2E (Interconnection Agreement) should be designated confidential in its entirety to preserve confidentiality of the Applicant's trade secrets and commercially sensitive information, and because CAISO has designated it as confidential to protect commercially sensitive information that can give competitors and/or potential partners/offtakers an advantage.

Appendix 3.2C (CNDDDB Map)

Appendix 3.2C (CNDDDB Map) should be designated confidential in its entirety to protect sensitive information regarding sensitive species and habitat.

Appendix 3.3B (Cultural Records Search Results and NAHC Records)

Appendix 3.3B (Cultural Records Search Results and NAHC Records) should be designated confidential in its entirety to protect sensitive information regarding cultural, archaeological, and tribal resources.

Appendix 3.8B (Paleontological Records Search Results)

Appendix 3.8B (Paleontological Records Search Results) should be designated confidential in its entirety to protect sensitive information regarding paleontological resources.

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Appendix 3.10A (Socioeconomic Study)

The highlighted information in the proposed redacted version of Appendix 3.10A (Socioeconomic Study) should be designated confidential to preserve confidentiality of the Applicant's trade secrets and commercially sensitive information related to Project costs.

- 4. State and justify the length of time the CEC should keep the information or data confidential. The term requested must be relevant to the stated basis for confidentiality. (20 CCR 2505(a)(1)(C.))**

Appendix 2B (Transmission Line Designs)

Appendix 2B (Transmission Line Designs) should be kept confidential indefinitely to prevent a loss of competitive advantage from disclosure of the Applicant's trade secrets and commercially sensitive information and to protect public safety and security of the Project's energy infrastructure.

Appendix 2D (Interconnection Study)

Appendix 2D (Interconnection Study) should be kept confidential in its entirety indefinitely to prevent a loss of competitive advantage from disclosure of the Applicant's trade secrets and commercially sensitive information, even if CAISO waives confidentiality of any or all of this document at some point in the future.

Appendix 2E (Interconnection Agreement)

Appendix 2E (Interconnection Agreement) should be kept confidential in its entirety indefinitely to prevent a loss of competitive advantage from disclosure of the Applicant's trade secrets and commercially sensitive information, even if CAISO waives confidentiality of any or all of this document at some point in the future.

Appendix 3.2C (CNDDDB Map)

Appendix 3.2C (CNDDDB Map) should be kept confidential indefinitely to protect sensitive species and habitat.

Appendix 3.3B (Cultural Records Search Results and NAHC Records)

Appendix 3.3B (Cultural Records Search Results and NAHC Records) should be kept confidential indefinitely to protect cultural resources.

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Appendix 3.8B (Paleontological Records Search Results)

Appendix 3.8B (Paleontological Records Search Results) should be kept confidential indefinitely to protect paleontological resources.

Appendix 3.10A (Socioeconomic Study)

The highlighted information in the proposed redacted version of Appendix 3.10A (Socioeconomic Study) should be kept confidential indefinitely to prevent a loss of competitive advantage from disclosure of the Applicant's trade secrets and commercially sensitive information.

- 5. State the provision(s) of the California Public Records Act or other law that allows the CEC to keep the information or data confidential and explain why the provision(s) apply to that material. (See Gov. Code, §§ 7920.000-7930.215.) (20 CCR 2505(a)(1)(D.))**

Appendix 2B (Transmission Line Designs)

Trade secrets—defined as “information, including a formula, pattern, compilation, program, device, method, technique, or process, that: (1) Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and (2) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy”—are exempt from disclosure under the California Public Records Act. (Gov't Code §§ 7927.605(a), 7927.705; Evid. Code § 1060; Civ. Code § 3426.1(d).) In addition, the public interest served by not disclosing this information clearly outweighs the public interest served by disclosure. (Gov't Code § 7922.000.)

Appendix 2B (Transmission Line Designs) includes trade secrets and commercially sensitive information related to Project costs. It is in the public's interest to have nondisclosure of this information to ensure industry competitiveness and trade secrets are maintained. Disclosure of this information would create a significant market disadvantage for the Applicant, compromise the Applicant's position during contract negotiations, provide competitors an advantage, and compromise the Applicant's competitive position in the CAISO power market through the disclosure of trade secrets; this could result in higher energy prices for consumers.

In addition, Appendix 2B includes information that relates to the detailed design of energy infrastructure, which is at risk for vandalism, terrorism, or other bad acts. It is in the public's interest to keep this information confidential to protect public safety and security.

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Appendix 2D (Interconnection Study)

The CEC may designate as confidential information that CAISO has designated as confidential. (Cal. Code Regs., tit. 20, § 2505(b).) Trade secrets—defined as “information, including a formula, pattern, compilation, program, device, method, technique, or process, that: (1) Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and (2) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy”—are exempt from disclosure under the California Public Records Act. (Gov’t Code §§ 7927.605(a), 7927.705; Evid. Code § 1060; Civ. Code § 3426.1(d).) In addition, the public interest served by not disclosing this information clearly outweighs the public interest served by disclosure. (Gov’t Code § 7922.000.)

Appendix 2D (Interconnection Study) should be designated confidential by the CEC because CAISO has designated it as such. In addition, Appendix 2D includes trade secrets and commercially sensitive information related to Project costs. It is in the public’s interest to have nondisclosure of this information to ensure industry competitiveness and trade secrets are maintained, therefore maintaining the competitiveness of the CAISO power market and consumer energy prices to competitive levels. Disclosure of this information would create a significant market disadvantage for the Applicant, compromise the Applicant’s position during contract negotiations, provide competitors an advantage, and compromise the Applicant’s competitive position in the CAISO power market through the disclosure of trade secrets; this could result in higher energy prices for consumers.

Appendix 2E (Interconnection Agreement)

The CEC may designate as confidential information that CAISO has designated as confidential. (Cal. Code Regs., tit. 20, § 2505(b).) Trade secrets—defined as “information, including a formula, pattern, compilation, program, device, method, technique, or process, that: (1) Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and (2) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy”—are exempt from disclosure under the California Public Records Act. (Gov’t Code §§ 7927.605(a), 7927.705; Evid. Code § 1060; Civ. Code § 3426.1(d).) In addition, the public interest served by not disclosing this information clearly outweighs the public interest served by disclosure. (Gov’t Code § 7922.000.)

Appendix 2E (Interconnection Agreement) should be designated confidential by the CEC because CAISO has designated it as such. In addition, Appendix 2E includes trade secrets and commercially sensitive information related to Project costs. It is in the public’s interest to have nondisclosure of this information to ensure industry competitiveness and trade secrets are maintained, therefore maintaining the competitiveness of the CAISO power market and consumer

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energy prices to competitive levels. Disclosure of this information would create a significant market disadvantage for the Applicant, compromise the Applicant's position during contract negotiations, provide competitors an advantage, and compromise the Applicant's competitive position in the CAISO power market through the disclosure of trade secrets; this could result in higher energy prices for consumers.

Appendix 3.2C (CNDDDB Map)

CEC regulations require the Applicant to submit a CNDDDB map at a scale of 1:6,000 under confidential cover. (Cal. Code Regs., tit. 20, § div. 2, ch. 5, app. B, § (g)(13)(A).) The CEC may designate as confidential information that another state agency has designated as confidential. (Cal. Code Regs., tit. 20, § 2505(b).) In addition, the public interest served by not disclosing this information clearly outweighs the public interest served by disclosure. (Gov't Code § 7922.000.)

Appendix 3.2C (CNDDDB Map) should be designated confidential by the CEC because the California Department of Fish and Wildlife ("CDFW") has effectively designated it as such by limiting its disclosure. The CNDDDB and its associated databases are proprietary databases owned by CDFW, and their use is limited to subscribed users who, under the CNDDDB License Agreement and the CNDDDB Data Use Guidelines, may not release the data to the public or non-subscribers without permission from CDFW unless it is displayed in a way or at a scale (1:350,000 or greater) such that viewers cannot determine the precise location of the resources mapped. (*See* CDFW, License Agreement for the California Natural Diversity Database (June 2018), <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=75516&inline>; CDFW, CNDDDB Data Use Guidelines, version 4.2 (2011), <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27285&inline>). Confidentiality of this information is necessary to abide by the CNDDDB License Agreement and CNDDDB Data Use Guidelines.

Additionally, confidentiality of this information is necessary to prevent public disclosure of information about the location of sensitive species and habitat, thus supporting the protection of these species and habitat. CDFW explains that it limits disclosure of this information because "there is the very real possibility that some people will use the detailed location information to do harm to a species or its habitat. Because of the sensitivity of the data, we try to limit the level of location detail that is made readily available to the public." (CDFW (2011).) If this information is disclosed to the public, it could result in intentional harm to sensitive species and habitat. The public interest will be served by nondisclosure by preventing potential intentional harm to sensitive species and habitat.

Appendix 3.3B (Cultural Records Search Results and NAHC Records)

CEC regulations provide that records of Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission are automatically designated as

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confidential. (Cal. Code Regs., tit. 20, § 2505(a)(5)(B)(5).) CEC regulations also require the Applicant to submit information on the specific locations of archaeological sites, other sensitive resources, or other areas of religious significance under a request for confidentiality. (Cal. Code Regs., tit. 20, § div. 2, ch. 5, app. B, § (g)(2)(C).) Records of Native American and archaeological site information are protected from disclosure pursuant to Government Code sections 7927.000 and 7927.005. In addition, the public interest served by not disclosing this information clearly outweighs the public interest served by disclosure. (Gov't Code § 7922.000.)

Appendix 3.3B (Cultural Records Search Results and NAHC Records) contains information related to the location of cultural resources, archaeological resources, and Native American sites. Nondisclosure of this information will protect these resources from looting or other damage. Nondisclosure of this information would be consistent with the federal Archaeological Resources Protection Act, which establishes a clear, national legal policy that all types of archaeological, paleontological, and cultural resource site locations on public lands must be protected to preserve them. (54 U.S.C. § 306131.)

Appendix 3.8B (Paleontological Records Search Results)

CEC regulations require the Applicant to submit information on the specific location of known paleontological resources under a request for confidentiality. (Cal. Code Regs., tit. 20, § div. 2, ch. 5, app. B, § (g)(16)(D).) The public interest served by not disclosing this information clearly outweighs the public interest served by disclosure. (Gov't Code § 7922.000.)

Appendix 3.8B (Paleontological Records Search Results) contains information related to the location of paleontological resources. Nondisclosure of this information will protect these paleontological resources from unauthorized excavation or other damage. Nondisclosure of this information would be consistent with the federal Archaeological Resources Protection Act, which establishes a clear, national legal policy that all types of archaeological, paleontological, and cultural resource site locations on public lands must be protected to preserve them. (54 U.S.C. § 306131.)

Appendix 3.10A (Socioeconomic Study)

Trade secrets—defined as “information, including a formula, pattern, compilation, program, device, method, technique, or process, that: (1) Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and (2) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy”—are exempt from disclosure under the California Public Records Act. (Gov't Code §§ 7927.605(a), 7927.705; Evid. Code § 1060; Civ. Code § 3426.1(d).) In addition, the public interest served by not disclosing this information clearly outweighs the public interest served by disclosure. (Gov't Code § 7922.000.)

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Appendix 3.10A (Socioeconomic Study) contains trade secrets and commercially sensitive information related to Project costs. It is in the public's interest to have nondisclosure of this information to ensure industry competitiveness and trade secrets are maintained. Disclosure of this information would create a significant market disadvantage for the Applicant, compromise the Applicant's position during contract negotiations, provide competitors an advantage, and compromise the Applicant's competitive position in the CAISO power market through the disclosure of trade secrets; this could result in higher energy prices for consumers.

- 6. If the applicant believes that the information or data should not be disclosed because it contains trade secrets or its disclosure would otherwise cause a loss of a competitive advantage, the application also shall state: (a) the specific nature of that advantage, (b) how the advantage would be lost, (c) the value of the information to the applicant, and (d) the ease or difficulty with which the information could be legitimately acquired or duplicated by others. (20 CCR 2505(a)(1)(D.))**

Appendix 2B (Transmission Line Designs)

The Applicant's estimated construction costs for the Project, and detailed design information on which construction costs are based, constitute trade secrets because they reflect the Applicant's forecasted economic standing. The Applicant has a competitive advantage in that this information is not known by other parties, including counterparties with whom it is negotiating and industry competitors.

Disclosure of this information would lead to the Applicant's loss of a competitive advantage. Public disclosure of this information would negatively impact the Applicant's competitive ability to negotiate with third parties on an ongoing basis given the pricing that has been secured and reflected in these estimates. Disclosure of this information would enable counterparties and industry competitors to reverse-engineer expected returns, capital cost components, and other key details of the Project that would lessen the Applicant's negotiating power and market competitiveness. If counterparties were internally estimating a materially different amount than what is disclosed, this information would impact and inform their negotiation strategy going forward. Industry competitors also would be able to use this information to further their own negotiations with third parties by using this data as leverage, enhancing their competitiveness and therefore negatively impacting the Applicant.

This information could not be legitimately acquired or duplicated by others. The Applicant's Project cost figures have been carefully assembled, leveraging various internal resources, including commercial partnerships, existing agreements, proprietary in-house knowledge, and prior project experience. Detailed design information for the Project's energy infrastructure has not been disclosed publicly.

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Appendix 2D (Interconnection Study)

CAISO's estimates for the Network Upgrades and Interconnection Facilities completion timing and costs associated with upgrades applicable to the Project are confidential between CAISO, Pacific Gas & Electric, and the Applicant, and constitute a trade secret. These estimated costs and completion timing directly impact the Applicant's forecasted economic standing and could be detrimental for the Project and the Applicant if external competitors were able to gain this information. The Applicant has a competitive advantage in that this information is not known by other parties, including counterparties with whom it is negotiating and industry competitors.

Disclosure of this information would lead to the Applicant's loss of a competitive advantage. Public disclosure of this information would negatively impact the Applicant's competitive ability to negotiate with third parties on an ongoing basis given the confidential pricing and timing that has been secured and reflected in the Applicant's estimates and forecasts. Disclosure of this information would enable counterparties and industry competitors to reverse-engineer expected returns, capital cost components, and other key details of the Project that would lessen the Applicant's negotiating power and market competitiveness. If counterparties were internally estimating a materially different amount than what is disclosed, this information would impact and inform their negotiation strategy going forward. Industry competitors would be able to use this information to further their own negotiations with third parties by using this data as leverage, enhancing their competitiveness and therefore negatively impacting the Applicant.

This information could not be legitimately acquired or duplicated by others. The Applicant's Project cost figures have been carefully assembled, leveraging various internal resources, including commercial partnerships, existing agreements, proprietary in-house knowledge, and prior project experience.

Appendix 2E (Interconnection Agreement)

CAISO's estimates for the Network Upgrades and Interconnection Facilities completion timing and costs associated with upgrades applicable to the Project are confidential between CAISO, Pacific Gas & Electric, and the Applicant, and constitute a trade secret. These estimated costs and completion timing directly impact the Applicant's forecasted economic standing and could be detrimental for the Project and the Applicant if external competitors were able to gain this information. The Applicant has a competitive advantage in that this information is not known by other parties, including counterparties with whom it is negotiating and industry competitors.

Disclosure of this information would lead to the Applicant's loss of a competitive advantage. Public disclosure of this information would negatively impact the Applicant's competitive ability to negotiate with third parties on an ongoing basis given the confidential pricing and timing that has been secured and reflected in the Applicant's estimates and forecasts. Disclosure of this information would enable counterparties and industry competitors to reverse-engineer

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expected returns, capital cost components, and other key details of the Project that would lessen the Applicant's negotiating power and market competitiveness. If counterparties were internally estimating a materially different amount than what is disclosed, this information would impact and inform their negotiation strategy going forward. Industry competitors would be able to use this information to further their own negotiations with third parties by using this data as leverage, enhancing their competitiveness and therefore negatively impacting the Applicant.

This information could not be legitimately acquired or duplicated by others. The Applicant's Project cost figures have been carefully assembled, leveraging various internal resources, including commercial partnerships, existing agreements, proprietary in-house knowledge, and prior project experience.

Appendix 3.10A (Socioeconomic Study)

The Applicant's estimated construction costs and estimated operations and maintenance costs for the Project constitute trade secrets because they reflect the Applicant's forecasted economic standing. The Applicant has a competitive advantage in that this information is not known by other parties, including counterparties with whom it is negotiating and industry competitors.

Disclosure of this information would lead to the Applicant's loss of a competitive advantage. Public disclosure of this information would negatively impact the Applicant's competitive ability to negotiate with third parties on an ongoing basis given the pricing that has been secured and reflected in these estimates. Disclosure of this information would enable counterparties and industry competitors to reverse-engineer expected returns, cost components, and other key details of the Project that would lessen the Applicant's negotiating power and market competitiveness. If counterparties were internally estimating a materially different amount than what is disclosed, this information would impact and inform their negotiation strategy going forward. Industry competitors also would be able to use this information to further their own negotiations with third parties by using this data as leverage, enhancing their competitiveness and therefore negatively impacting the Applicant.

This information could not be legitimately acquired or duplicated by others. The Applicant's Project cost figures have been carefully assembled, leveraging various internal resources, including commercial partnerships, existing agreements, proprietary in-house knowledge, and prior project experience.

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- 7. State whether the information or data can be disclosed if it is aggregated with other information or masked to conceal certain portions. State the degree of aggregation or masking required. If the data cannot be disclosed even if aggregated or masked, explain why. (20 CCR 2505(a)(1)(E.))**

Appendix 2B (Transmission Line Designs)

Appendix 2B (Transmission Line Design) cannot be masked because the entire document contains trade secrets and commercially sensitive information and sensitive information related to the detailed design of energy infrastructure. Information related to Project costs and detailed Project design cannot be disclosed if aggregated due to the nature of capital costs. Any and all details pertaining to capital costs are considered a trade secret and a significant component of the Applicant's competitive advantage in the industry.

Appendix 2D (Interconnection Study)

Appendix 2D (Interconnection Study) cannot be disclosed if aggregated or masked because of confidentiality obligations among CAISO, Pacific Gas & Electric, and the Applicant, and because the entire document contains trade secrets and commercially sensitive information. This information cannot be disclosed if aggregated due to the nature of capital costs. Any and all details pertaining to capital costs are considered a trade secret and a significant component of the Applicant's competitive advantage in the industry.

Appendix 2E (Interconnection Agreement)

Appendix 2E (Interconnection Agreement) cannot be disclosed if aggregated or masked because of confidentiality obligations among CAISO, Pacific Gas & Electric, and the Applicant, and because the entire document contains trade secrets and commercially sensitive information. This information cannot be disclosed if aggregated due to the nature of capital costs. Any and all details pertaining to capital costs are considered a trade secret and a significant component of the Applicant's competitive advantage in the industry.

Appendix 3.2C (CNDDDB Map)

This information and data are disclosed elsewhere in the application at a scale of 1:350,000 or greater and in a manner that does not disclose the precise locations of species and habitat, including in Figure 3.2-2 (Sensitive Habitat Types) and Figure 3.2-4 (Special-Status Species Occurrence) in Section 3.2 (Biological Resources). This information has been aggregated and presented in Section 3.2 (Biological Resources) and Appendix 3.2A (Biological Technical Report) in a manner that does not disclose the precise locations of species and habitat.

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Appendix 3.3B (Cultural Records Search Results and NAHC Records)

This information has been aggregated and presented in Section 3.3 (Cultural Resources) and Appendix 3.3A (Cultural Resources Report) in a manner that does not disclose the precise locations of cultural resources.

Appendix 3.8B (Paleontological Records Search Results)

This information has been aggregated and presented in Section 3.8 (Paleontological Resources) and Appendix 3.8A (Paleontological Resources Review) in a manner that does not disclose the precise locations of paleontological resources.

Appendix 3.10A (Socioeconomic Study)

Information related to Project costs cannot be disclosed if aggregated due to the nature of costs. Any and all details pertaining to costs are considered a trade secret and a significant component of the Applicant's competitive advantage in the industry. The proposed redacted version of Appendix 3.10A is masked to the extent necessary to protect the Applicant's trade secrets and commercially sensitive information.

- 8. State how the information or data is kept confidential by the applicant and whether it has ever been disclosed to a person other than an employee of the applicant. If it has, explain the circumstances under which disclosure occurred. (20 CCR 2505(a)(1)(F.))**

Appendix 2B (Transmission Line Designs)

This information has been kept confidential by the Applicant and has not been disclosed to a person other than an employee, attorney, or consultant working on behalf of the Applicant under confidentiality agreements and/or duties of confidentiality.

Appendix 2D (Interconnection Study)

This information is kept confidential by CAISO, Pacific Gas & Electric, and the Applicant, and the Applicant has not disclosed this information to a person other than an employee, attorney, or consultant working on behalf of the Applicant under confidentiality agreements and/or duties of confidentiality.

Appendix 2E (Transmission Line Designs)

This information is kept confidential by CAISO, Pacific Gas & Electric, and the Applicant, and the Applicant has not disclosed this information to a person other than an employee, attorney,

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or consultant working on behalf of the Applicant under confidentiality agreements and/or duties of confidentiality.

Appendix 3.2C (CNDDDB Map)

This information is kept confidential by the Applicant, and the Applicant has not disclosed this information to a person other than an employee, attorney, or consultant working on behalf of the Applicant, under confidentiality agreements and/or duties of confidentiality, and who have a direct need to see this information in relation to their work on this Project.

Appendix 3.3B (Cultural Records Search Results and NAHC Records)

This information is kept confidential by the Applicant, and the Applicant has not disclosed this information to a person other than an employee, attorney, or consultant working on behalf of the Applicant, under confidentiality agreements and/or duties of confidentiality, and who have a direct need to see this information in relation to their work on this Project.

Appendix 3.8B (Paleontological Records Search Results)

This information is kept confidential by the Applicant, and the Applicant has not disclosed this information to a person other than an employee, attorney, or consultant working on behalf of the Applicant, under confidentiality agreements and/or duties of confidentiality, and who have a direct need to see this information in relation to their work on this Project.

Appendix 3.10A (Socioeconomic Study)

This information has been kept confidential by the Applicant and has not been disclosed to a person other than an employee, attorney, or consultant working on behalf of the Applicant under confidentiality agreements and/or duties of confidentiality.

* * *

Pursuant to California Code of Regulations, title 20, section 2505(a)(1)(G), I certify under penalty of perjury that the information contained in this Application for Confidential Designation is true, correct, and complete to the best of my knowledge. Levy Alameda, LLC is a limited liability company. I am authorized to make this application and certification on behalf of Levy Alameda, LLC.

Thank you for your consideration of this Application for Confidential Designation. Levy Alameda, LLC looks forward to working with the CEC in processing its opt-in application for the Project. If you have any questions or concerns about this Application for Confidential Designation,

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please contact Kelene Strain (310-899-5340, KStrain@capstoneinfra.com) and Dana Palmer at Allen Matkins Leck Gamble Mallory & Natsis LLP (310-788-2444, DPalmer@allenmatkins.com).

Respectfully submitted,

DocuSigned by:

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Patrick Leitch
Chief Operating Officer
Levy Alameda, LLC