

<b>DOCKETED</b>	
<b>Docket Number:</b>	24-OPT-05
<b>Project Title:</b>	Corby Battery Energy Storage System Project
<b>TN #:</b>	259893
<b>Document Title:</b>	NextEra Request For Confidentiality - Appendix 45-1 - Cultural Resources Technical Report
<b>Description:</b>	N/A
<b>Filer:</b>	Scott Galati
<b>Organization:</b>	DayZenLLC
<b>Submitter Role:</b>	Applicant Representative
<b>Submission Date:</b>	11/4/2024 3:56:18 PM
<b>Docketed Date:</b>	11/4/2024



November 4, 2024

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

**Subject:     *Application for Confidential Designation  
Appendix 4.5-A CULTURAL RESOURCES INVENTORY  
REPORT FOR THE CORBY BATTERY ENERGY STORAGE  
SYSTEM PROJECT IN SOLANO COUNTY, CALIFORNIA  
OPT-IN APPLICATION 24-OPT-05***

Dear Mr. Bohan,

North Bay Interconnect, LLC and Corby Energy Storage, LLC, wholly-owned subsidiaries of NextEra Energy Resources (NextEra), as owner of the Corby Battery Energy Storage System Project (Project), requests that the attached information be designated confidential pursuant to 20 California Code of Regulations (CCR) Section 2505. This information is being supplied to the California Energy Commission (CEC) as required by CEC regulation and in support of its Opt-In Application docketed on November 4, 2024.

In support of its Application for Confidential Designation, NextEra provides the following information:

APPLICANT:           North Bay Interconnect, LLC  
                              Corby Energy Storage, LLC

ADDRESS:             700 Universe Blvd  
                              Juno Beach, Florida 33408

1(a). *Title, date and description (including number of pages) of the record for which you request confidential designation.*

***Appendix 4.5-A CULTURAL RESOURCES INVENTORY REPORT FOR THE CORBY BATTERY ENERGY STORAGE SYSTEM PROJECT IN SOLANO COUNTY, CALIFORNIA***

1(b). *Specify the part(s) of the record for which you request confidential designation.*

The report identified above in 1(a) in its entirety.

2. *State and justify the length of time the Commission should keep the record confidential.*

The report identified above should be kept confidential indefinitely to protect potential cultural resources and sites. If the descriptions of the locations of the sites are released to the public domain, there is potential for looting of that site.

3(a). *State the provisions of the Public Records Act or other law that allows the Commission to keep the record confidential, and explain why the provision(s) apply to the record.*

The report identified above specifically identifies areas of potential cultural and historical significance. It is thus protected under Government Code Sections 6254(e) and 6254(k). Protection provided is analogous to that given to Native American sacred places under Section 6254(r) of the Government Code.

3(b). *Discuss the public interest in nondisclosure of the record. If the record contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, please also state how it would be lost, the value of the information to the applicant, and the ease or difficulty with which the information could be legitimately acquired or duplicated by others.*

The public interest will be served by nondisclosure by preventing looting of the cultural resources and sites described in the reports. Such looting

would preclude scientific study of the sites to gain data about the cultural resources of the area.


*4. State whether the record may be disclosed if it is aggregated with other information or masked to conceal certain portions (including but not limited to the identity of the applicant). State the degree of aggregation or masking required. If the data cannot be disclosed even if aggregated or masked, explain why.*

NextEra believes the CEC staff will require the specific information contained in the report to properly perform its analysis. Aggregation of the information would hinder a complete CEC analysis. However, NextEra believes the CEC can incorporate a generalized summary of information contained in the report to properly state the basis for its analysis without disclosing information specific enough to facilitate unauthorized collection or disturbance of sensitive biological resources.

*5. State how the record 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.*

NextEra has not disclosed any of the subject information to anyone other than its employees, attorneys, and consultants working on the Project. Moreover, this information will not be disclosed to any other persons employed by or working for NextEra except on a “need to know” basis. NextEra is marking this information “Confidential” and is instituting a policy that segregates this information from other Project files and that access to it be restricted to a designated confidential information manager or managers within NextEra or its attorneys and consultants.

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 and I am authorized to make the application and certification on behalf of the Applicant.



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Scott A. Galati  
Counsel to  
North Bay Interconnect, LLC  
Corby Energy Storage, LLC  
NextEra Energy Resources