

DOCKETED

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January 08, 2025

Via Email

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**Repeated Application for Confidential Designation: Potentia-Viridi Battery Storage Energy Storage System Project
Docket No. 24-OPT-04**

Dear Mr. Leitch, Mr. Palmer and Ms. Strain:

The California Energy Commission (CEC) has received Levy Alameda, LLC's (applicant) two repeated applications for confidential designation, docketed December 24, 2024 (TN 260814) and December 26, 2024 (TN 260830), for the following records:

- Appendix A to Attachment 1, Revised Cultural Resources Inventory and Evaluation Report Record Search, Parts 1-64.
- Appendix B to Attachment 1, Revised Cultural Resources Inventory and Evaluation Report NAHC and Tribal Consult.
- DR Response 1 - Attachment 6, Confidential Project and PG&E Substation One-Line Diagrams.

The applicant states that these records were previously determined by CEC's executive director to be confidential indefinitely for cultural resources information, and for the life of the facility for transmission line design information. (September 4, 2024, TN 258983). The applicant asserts, under penalty of perjury, that the records submitted under this application contain information 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.

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

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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. Confidentiality is granted indefinitely for the cultural resources information, and for the life of the facility for the transmission line design information, under the same terms as those in the grant of confidentiality on September 4, 2024 (TN 258983).

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.

If you have questions, please email confidentialityapplication@energy.ca.gov.