

**DOCKETED**

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July 7, 2022

**Via Email**

Andrew Brown  
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Repeated Application for Confidential Designation  
Power Source Disclosure Annual Report (22-PSDP-01)

Dear Andrew Brown:

The California Energy Commission (CEC) has received Constellation NewEnergy, Inc. (applicant) repeated application for confidential designation, dated June 2, 2022. The application covers data contained in the 2021 Power Source Disclosure Annual Report.

The repeated application notes that the power source disclosure data contains information substantially similar to data previously designated as confidential by the executive director in a letter dated December 23, 2020, and that the facts and circumstances relevant to the confidentiality of the information remain unchanged.

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.

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The applicant has met the requirements of the repeated application.

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

For the reasons stated, the repeated application for confidential designation is approved and confidentiality is granted under the same terms as those in the prior executive director's letter.

Be advised that under the 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 the 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 the 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 the California Code of Regulations, title 20, section 2505(a)(4).

If you have any procedural questions concerning this matter, please email Jared Babula at [Jared.babula@energy.ca.gov](mailto:Jared.babula@energy.ca.gov).

Sincerely,



Drew Bohan  
Executive Director