

<b>DOCKETED</b>	
<b>Docket Number:</b>	22-SPPE-03
<b>Project Title:</b>	Martin Backup Generating Facility (MBGF)
<b>TN #:</b>	251039
<b>Document Title:</b>	CEC's Response Letter re June 20, 2023 Confidentiality Application
<b>Description:</b>	N/A
<b>Filer:</b>	Ngoc Tran
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	7/13/2023 10:39:42 AM
<b>Docketed Date:</b>	7/13/2023



July 13, 2023

**Via Email**

Scott A. Galati  
DayZen LLC  
1720 Park Place Drive  
Sacramento, California 95608  
[sgalati@dayzenllc.com](mailto:sgalati@dayzenllc.com)

**Application for Confidential Designation:  
Martin Geothermal Project  
Docket No. 22-SPPE-03**

Dear Scott A. Galati:

The California Energy Commission (CEC) has received Martin Avenue Properties, LLC's (applicant) Application for Confidentiality (TN 250688), dated June 20, 2023, covering the following data:

- Revised Cultural Resource Assessment for the 651 Martin Avenue Project, City of Santa Clara, Santa Clara County, California

The applicant seeks confidentiality for the data pursuant to California Code of Regulations, title 20, section 2505(a)(4) as a repeated application.

California Code of Regulations, title 20, section 2505(a)(4) provides: "Repeated Applications for Confidential Designation. If an applicant is seeking a confidential designation for information that is substantially similar to information that was previously deemed confidential by the CEC pursuant to section 2508, or for which an application for confidential designation was granted by the executive director pursuant to 2505(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."

Here, the applicant has attested under penalty of perjury that the information contained in the application is substantially similar to information previously deemed confidential by the CEC under section 2505(a)(3)(A) and that all the facts and circumstances relevant to confidentiality remain unchanged. The previous application was granted on December 28, 2022, in response letter TN 248249, docket No. 22-SPPE-03.

Therefore, the CEC designates the data as confidential indefinitely. This confidentiality period is consistent with the period previously granted.

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 records is issued by the CEC's chief counsel. Under the California Code of Regulations, title 20, section 2507, the executive director may disclose, 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 in the California Code of Regulations, title 20, sections 2506 to 2507.

If you have questions, please email [confidentialityapplication@energy.ca.gov](mailto:confidentialityapplication@energy.ca.gov).

Sincerely,

A handwritten signature in dark ink, appearing to be 'Drew Bohan', written in a cursive style.

Drew Bohan  
Executive Director