

<b>DOCKETED</b>	
<b>Docket Number:</b>	23-OPT-02
<b>Project Title:</b>	Darden Clean Energy Project
<b>TN #:</b>	256531
<b>Document Title:</b>	Darden Clean Energy Project Docket No
<b>Description:</b>	N/A
<b>Filer:</b>	Wendi DuBose
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	5/24/2024 11:30:28 AM
<b>Docketed Date:</b>	5/24/2024



May 24, 2024

**Via Email**

Simon Ross  
Becky Moores  
IP Darden I, LLC  
c/o Intersect Power, LLC  
9450 South West Gemini Drive, PMB #68743  
Beaverton, Oregon 97008-7105  
[simon.ross@intersectpower.com](mailto:simon.ross@intersectpower.com)  
[becky.moores@intersectpower.com](mailto:becky.moores@intersectpower.com)

**Application for Confidential Designation: Darden Clean Energy Project  
Docket No. 23-OPT-02**

Dear Simon Ross and Becky Moores:

The California Energy Commission (CEC) has received the IP Darden I, LLC (applicant) Application for Confidentiality (TN 256295), docketed May 10, 2024, covering the California Independent System Operator Phase II Study for the Darden Energy Project, which includes the following documents (Phase II documents):

- PG&E South 500 kV Interconnection Area Study Report
- Attachment 6 Generator Dynamic Data
- Attachment 8 Preliminary Protection Requirements
- Attachment 9 Transient Stability Contingency List & Results
- Attachment 10 Substation and Transmission line Work Scope
- Appendix A – Q1949, Queue Cluster 14 Phase II Study Final Report
- Appendix B System Assumptions
- Appendix C Contingency Lists
- Appendix E Reliability Power Flow Results
- Appendix G Reliability Assessment Results
- Appendix H Short Circuit Study Results
- Appendix I Deliverability Assessment Results
- Appendix J Energy Storage Charging Reliability Power Flow Results
- Appendix K Interconnection Area Map

The applicant requests that the documents referenced above be kept confidential indefinitely, unless approved for public release by the California Independent System Operator (CAISO). The applicant states CAISO has designated the documents listed as confidential.

A properly filed application for confidentiality shall be granted under California Code of Regulations, title 20, section 2505(a)(3)(A), "if the applicant makes a reasonable claim

that the Public Records Act or other provision of law authorizes the [California Energy] Commission to keep the record confidential.”

As explained below, the applicant has made a reasonable claim that the Phase II documents shall be made confidential due to CAISO’s confidential designation. (Cal. Code Regs., tit. 20, § 2505(b).) Pursuant to an Appendix DD, Generator Interconnection and Deliverability Allocation Procedures document (GIDAP Appendix DD), on November 30, 2022, CAISO and the applicant agreed to treat the Phase II documents as confidential.

The remaining Phase II documents were to be treated as confidential pursuant to a non-disclosure agreement (NDA) between CAISO and the applicant dated February 28, 2017.

The applicant further claims it is in the public interest to have the Phase II documents deemed confidential to ensure industry competitiveness and maintain trade secrets, maintaining the competitiveness of the CAISO power market and keeping consumer energy prices at competitive levels. The applicant states the information in the Phase II documents cannot be disclosed even if aggregated or masked due to the confidential designation imposed by CAISO and pursuant to the NDA. (Cal. Code Regs., tit. 20, § 2505(a)(1)(D).) The applicant states the information contained within the Phase II documents have not been disclosed to a person other than an employee or contractors working on behalf of applicant and under NDAs.

### **Executive Director’s Determination**

The applicant has made a reasonable showing that the information contained in the Phase II documents should be maintained as confidential due to CAISO’s designation. The Phase II documents are granted confidentiality indefinitely, unless approved for public release by CAISO.

Be advised that persons may petition to inspect or copy records that have been designated as confidential, the executive director may disclose, or release records previously designated as confidential in certain circumstances, and the CEC may hold a hearing to determine the confidentiality of its records on its own motion or on a motion by CEC staff. The procedures and criteria for disclosing or releasing, filing, reviewing,

Simon Ross, Becky Moores

May 24, 2024

Page 3

and acting upon such petitions or motions are set forth in the California Code of Regulations, title 20, sections 2506 through 2508.

Any related subsequent submittals can be deemed confidential, without the need for an application, by following the procedures set forth in California Code of Regulations, title 20, section 2505(a)(4).

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

Sincerely,

A handwritten signature in black ink, appearing to read "Drew Bohan", with a stylized flourish at the end.

Drew Bohan  
Executive Director