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CONFIDENTIAL

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January 25, 2006

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Mr. B.B. Blevins
Executive Director
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

**Subject: Supplemental Request for Confidential Designation
Confidential Offset Strategy
Sun Valley Energy Project (05-AFC-3)**

Dear Mr. Blevins,

Valle del Sol Energy, LLC (VSE), a wholly-owned subsidiary of Edison Mission Energy, is the owner of the Sun Valley Energy Project (SVEP). VSE requested Confidential Designation of an Amended Confidential Offset Strategy in a previous filing dated January 12, 2006. Staff reviewed the Amended Confidential Offset Strategy and requested additional information in order to find the SVEP data adequate. On that basis, VSE files this Supplemental Request For Confidentiality.

VSE requests that the attached information be designated confidential pursuant to 20 CCR Section 2505. This information is being supplied to the California Energy Commission (CEC) in response to Staff's request for additional information in order to deem the Application for Certification (AFC) data adequate.

In support of its application for confidential designation, VSE provides the following information:

APPLICANT: Valle del Sol Energy, LLC
ADDRESS: 18101 Von Karman Ave., Suite 1700
Irvine, CA 92612-1046

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

Supplemental Offset Tables – Amended Confidential Offset Strategy

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

Supplemental Offset Tables including the previously filed Amended Confidential Offset Strategy

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

The Supplemental Tables – Amended Confidential Offset Strategy should be kept confidential until VSE completes until mutually binding contracts for all required offsets are signed.

3. *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. 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.*

Government Code Section 6254(k) provides for the protection from disclosure of trade secrets. Under the controlling case of Uribe v. Howie (1971) 10 Cal App 3d 194, 207-208, 96 Cal Rptr 493, 500-501:

“A trade secret may consist of any formula, pattern, device or compilation of information which is used in one's business and which gives him an opportunity to obtain an advantage over competitors who do not know or use it.” (Emphasis Added)

The information submitted is a special compilation developed by VSE and provides VSE with an advantage over potential competitors who have not developed such a compilation of information, offset holders, and offset strategies (the material does not include air emissions data which is susceptible to public disclosure under Government Code Section 6254.7). In addition to the complete offset strategy, disclosure of potential sources of emissions offsets may hinder current negotiations.

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.*

At this time masking or aggregating the information for public disclosure would not be feasible since it would, in effect, disclose the trade secret information.

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.*

VSE has not disclosed any of the subject information to anyone other than its employees, attorneys, and consultants working on the SVEP. Moreover, this information has not been disclosed to persons employed by or working for VSE except on a "need-to-know" basis. VSE is marking this information "Confidential" and is instituting a policy that it be segregated from other SVEP files and that access to it be restricted to a designated confidential information manager within VSE or its attorneys/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 that I am authorized to make the application and certification on behalf of the applicant.



Scott A. Galati
Counsel for Valle del Sol Energy, LLC