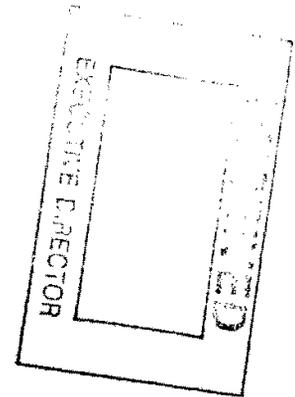




Executive Director  
California Energy Commission  
1516 9<sup>th</sup> Street, MS-39  
Sacramento, CA 95814

**DOCKET**  
**02-REN-1038**  
**DATE MAY 30 2007**  
**RECD. JUN 01 2007**



Re: Request for Confidentiality re: Docket Number 02-REN-1038

Dear Executive Director Blevins:

According to Title 20, California Code of Regulations, Section 2505, Wheelabrator Shasta Energy Company Inc. ("WSE") is hereby making the following request for confidentiality related to Docket Number 02-REN-1038, and specifically certain portions of WSE's response to the California Energy Commission's ("CEC") "Additional Information Requested From Applicants for Funding Eligibility - Existing Renewable Facilities Program."

The overall rationale for requesting confidentiality is based on the fact that the principal trade secrets of WSE are those related to WSE's marginal operating costs and fuel costs, two values that are closely related.

All operating biomass facilities in Northern California compete with each other for the limited sources of readily available and acceptable fuel. Planned or proposed new projects are another source of competition, even before their construction, because of their need to secure fuel well in advance of operation. Other users, including the California Department of Transportation, the soil amendment and mulch industries and landfills (for alternative daily cover) also compete for the same fuel feed stock. All of these competitors are keenly aware of the edge that knowledge of WSE's Shasta facility's (the "Facility") fuel costs would give them when negotiating with the relatively small group of biomass suppliers.

There are a number of approaches that the competition can use to determine a plant's fuel costs, but knowledge of the incremental generation that a facility would produce given a certain subsidy, a value that is provided in the accompanying documents, would enable a competitor to easily calculate the facility's break-even price for fuel. All of WSE's fuel supply agreements contain confidentiality provisions that restrict the supplier from publicly disclosing any pricing information. WSE's competitors currently have limited or no access to such information.