

Covanta Power Pacific, Inc.

A Covanta Energy Company

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Oroville, CA 95965

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COMPLETED

COVANTA
E N E R G Y

DOCKET	
02-REN-1038	
DATE	JUN 0 8 2007
RECD.	JUN 11 2007

CONFIDENTIAL



June 8, 2007

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

Dear Executive Director:

Pacific Oroville Power, Inc. timely filed the original application for the 2007 Existing Renewable Facilities Program (ERFP) on April 9, 2007 and hand-delivered the additional questionnaire including confidentiality letter on May 21, 2007.

On June 7, 2007, Pacific Oroville Power, Inc. received a "Deficient or Incomplete Application for Confidentiality" letter requesting that a facility address be added to the confidentiality letter.

The management of Pacific Oroville Power, Inc. feels that we have timely filed the ERFP forms, including the additional questionnaire and we would ask for our file standing to remain in effect from our original submission dated April 9, 2007.

Please do not hesitate to call me to discuss. (530) 365-9767 ext. 20

Thank you,

Dina Del Dotto
Business Manager
Covanta Biomass Facilities



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

Dear Executive Director Blevins:

According to Title 20, California Code of Regulations, Section 2505, Pacific Oroville Power, Inc., is making the following request for confidentiality related to Docket Number 02-REN-1038, and specifically the CEC's "Additional Information Requested From Applicants for Funding Eligibility - Existing Renewable Facilities Program."

The overall concept for requesting confidentiality is based on the fact that the principal trade secrets of Pacific Oroville Power, Inc., include everything relating to our marginal operating costs and our fuel costs, two values that are closely related. For biomass generation facilities, every plant competes for fuel. Our plant experiences competition with other operating biomass plants and planned or proposed new projects within the region. Both these competitors would like to know what we pay for fuel. Our plants also experiences competition from other users of the fuel feed stock, such as California Department of Transportation, the soil amendment and mulch industries and landfills for use in alternative daily cover. There are a number of approaches to determining a plant's fuel costs by competitors, including knowledge of additional generation that would be made by a certain subsidy amount, a value that is provided in the accompanying documents.

All the documents and supporting information provided in response to question 1) b) i.-iii. under "Justification for Target Prices Requested" should not be disclosed because it contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, the application shall also state the specific nature of that advantage and how it would be lost, including 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.

All these documents and supporting information should remain confidential for the next 10 years, because these forms contain confidential market and operating information.

All these documents and supporting information may be disclosed if it is aggregated with other information only. There is no masking any part of these materials and supporting descriptions that would render the information not confidential, while leaving anything of value in the information (i.e. "masking" is not a feasible approach).

All these documents and supporting information is kept confidential by Pacific Oroville Power, Inc., in the following manner and has never been disclosed to a person other than an employee of Pacific Oroville Power, Inc., or to an aggregator of the information under a confidentiality agreement.

The two estimates requested under 2) in "Justification for Target Prices Requested" should not be disclosed because it contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, the application shall also state the specific nature of that advantage and how it would be lost, including 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.

These estimates should remain confidential for the next 10 years, because the estimates provided on these forms contain confidential market and operating information.

These estimates may be disclosed if it is aggregated with other information only. There is no masking any part of these materials and supporting descriptions that would render the information not confidential, while leaving anything of value in the information (i.e. "masking" is not a feasible approach).

These estimates are kept confidential by Pacific Oroville Power, Inc., in the following manner and have never been disclosed to a person other than an employee of Pacific Oroville Power, Inc.

The estimates in 2 are confidential because they have to do with marginal operating costs. That is, an estimate of additional generation made possible by a certain amount of subsidy funding can be directly related to marginal operating cost and therefore to a close approximation of fuel cost.

The unique factors in 3 are related to the site and location and confidentiality is not requested.

Much, probably not all, of the detailed plan under "Becoming Competitive and Self-Sustaining by December 31, 2011" is confidential since it relates to marginal operating cost.

"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." Pacific Oroville Power, Inc., is a company, firm, partnership, trust, corporation, or other business entity, or an organization or association. The person preparing the request is authorized to make the application and certification on behalf of the entity, organization, or association.

Sincerely,



Dina Del Dotto
Business Manager, Covanta Biomass Facilities