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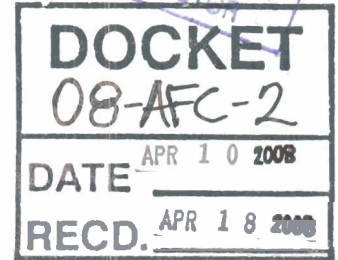
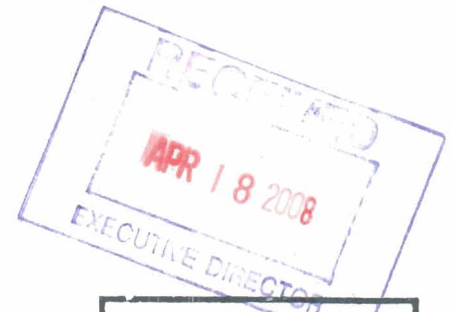
April 10, 2008

VIA FedEx

Melissa Jones  
 Executive Director  
 California Energy Commission  
 1516 9<sup>th</sup> Street  
 Sacramento, CA 95814

CONFIDENTIAL

COMPLETED



**Subject: Request for Confidential Designation of Reports Documenting Previous Cultural Resource Studies and Records Search Map Provided in Support of Project Beacon Application for Certification (Docket No.08-AFC-2)**

Dear Ms. Jones,

Under Title 20 California Code of Regulations § 2505, EDAW, Inc. (EDAW) is submitting on behalf of Beacon Solar, LLC (Beacon Solar) this application for confidential designation for the enclosed reports and map in connection with the Beacon Solar Energy Project (Project) Application for Certification (AFC).

Beacon Solar requests that the attached 11 reports (see list below) containing sensitive cultural resources information be kept confidential. The reports identify cultural resources information, such as the location and content of archaeological sites. The reports comprise 142 pages.

Report Number	Author	Title
KE-00029	Robert S. White	An Archaeological Assessment of the United Tire Recycling Corporation Project
KE-00030	Robert S. White	An Archaeological Assessment of the Cornell Corrections California City Prison Site
KE-00248	Environmental Sciences Section	Cultural Resource Survey Report for Flightline Security Fence
KE-00649	James McManus	Archaeological Survey Report for 9-KER-14
KE-01108	Robert A. Schiffman	Archaeological Investigation of Solar World's Proposed Wind Farm Near Cantil, Kern County, California
KE-01967	Michael V. Spear	Historical Resource Evaluation Report for a Widening Project on 9-KER-14, Near Cinco, Kern County
KE-01968	California Department of Transportation	Historic Property Survey Report, Jawbone Canyon Expressway Project
KE-01969	Denise O'Connor	Historical Architectural Survey Report for a Proposed Highway Project on Route 14 in Kern County, California.

<b>Report Number</b>	<b>Author</b>	<b>Title</b>
KE-02118	Brian F. Smith and Associates	An Archaeological Survey of the Fremont Valley Pipeline Project, Mojave, California
KE-02135	McManus et al.	Negative Declaration, DOT
KE-03276	Stacy Jordan and Michael Wise	Archaeological Survey Report for the Southern California Edison Company, LADWP Rule 15 Line Extension, Private Inholding, Kern County, California

In addition to the reports, a records search map at 7.5 minute quad scale is also being submitted under this request for confidentiality. There is one map page.

Beacon requests that the California Energy Commission (Commission) keep this information (reports and map) confidential permanently. The requested time frame is consistent with the definition of public records contained in California Government Code Section 6254.10. Section 6254.10 indicates that:

Nothing in this chapter requires disclosure of records that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the Native American Heritage Commission, another state agency, or local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency.

The reports and map provide just the type of information discussed in the above-cited Government code section. Consistent with the intent and philosophy of California Codes Section 6254.10, such information should be considered a confidential record permanently.

Cultural resources are assets providing insight into prior cultures and lose a great deal of value if they are improperly disturbed. Publication of the location and specific descriptions of the assets may invite the curious, who may unwittingly disrupt or destroy the assets, and even worse may encourage destruction or theft from the sites. This in order to protect the integrity of these sites, these site descriptions and locations should be kept confidential. Beacon's interest in seeking confidentiality of these documents is preservation of the resources rather than any competitive advantage.

The information in a non-confidential, aggregated form is already included in the cultural section of Beacon Solar's AFC. Therefore further aggregation if the information is unnecessary. Masking the information contained in the reports would render the information useless, and Beacon Solar believes that the Commission and staff will need the detailed information provided in these reports to properly carry out their analysis. The public document included in the AFC can serve as generalized basis for the Commission's analysis without disclosing information that could facilitate damage to the sites.

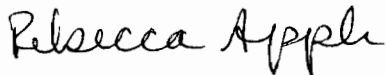
M. Jones  
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The cultural resources information found in the reports is known only to specific employees of Beacon Solar, the consultants hired by Beacon Solar for this AFC, Beacon Solar's attorneys, and representatives of local Native American groups. This information has not been publically disclosed. Beacon Solar has segregated this information from other project files and is restricting access to it on a need-to-know basis as determined by Beacon Solar's consultants, attorneys, and contractors.

For the reasons specified above and the specific statutory protection provided for cultural records, the Commission should designate the 11 reports and one map as confidential.

I state 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 on behalf of Beacon Solar.

Yours sincerely,



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Enclosures

Cc: Kenny Stein, FPL  
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