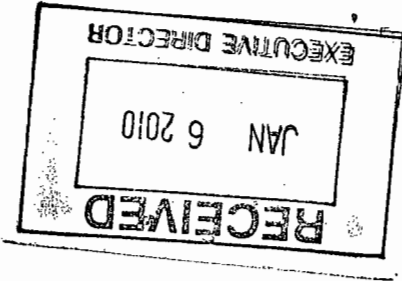


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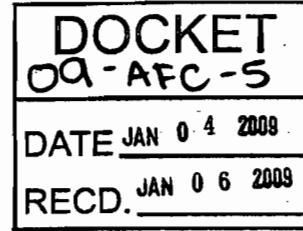
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January 4, 2010

**COMPLETED**



Melissa Jones  
Executive Director  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

RE: Abengoa Mojave Solar Project (09-AFC-5)  
Application for Confidential Designation: System Impact Study

Dear Ms. Jones:

Pursuant to Title 20 California Code of Regulations (CCR) Sections 2501 *et seq.*, Abengoa Solar Inc. (the "Applicant") hereby submit this "Application for Confidential Designation" for the Abengoa Mojave Solar Project for the Interconnection Facilities Study.

I am submitting the Application and confidential material directly to you without docketing at the Docket Unit. Enclosed are twelve copies plus an original of this request and five copies of the confidential information it concerns. Please feel free to contact me at (916) 447-2166 should you have any questions or require additional information. Thank you for your consideration of our request.

Sincerely,

A handwritten signature in cursive script that reads "Shane Conway".

Christopher T. Ellison  
Shane E. Conway  
Attorneys for the Applicant

enc.

cc: Service List without confidential attachments

## APPLICATION FOR CONFIDENTIAL DESIGNATION

Abengoa Mojave Solar Project (09-AFC-5)  
Abengoa Solar Inc. (the "Applicant")

### Interconnection Facilities Study ("IFS")

1. *Specifically indicate those parts of the record which should be kept confidential.*

The entirety of "Interconnection Facilities Study", including the attachments (the "IFS"), for Abengoa Solar, Inc. - Harper Lake Solar Plant Project, dated October 30, 2009.

2. *State the length of time the record should be kept confidential, and provide justification for the length of time.*

Consistent with applicable law, this information should be held confidential indefinitely in order to protect the information identified therein.

3. *Cite and discuss (i) the provisions of the Public Records Act or other law which allow the commission to keep the record confidential and (ii) the public interest in nondisclosure of the record.*

It has been suggested to the Applicant that the IFS may not be disclosed due to restrictions and/or prohibitions set forth in the Critical Infrastructure Information Act of 2002 ("CIIA"), codified at 6 U.S.C. §§131 – 134 on November 25, 2002 as subtitle B of Title II of the Homeland Security Act (P.L. 107-296, 116 Stat. 2135, sections 211 - 215), related to the regulation of the use and disclosure of information submitted to the Department of Homeland Security (DHS) about vulnerabilities and threats to critical infrastructure. Further, there may be prohibitions of the use or disclosure of this information in the CAISO Tariff, including, but not necessarily limited to, Appendix U of the *California Independent System Operator Corporation FERC Electric Tariff*, the Standard Large Generator Interconnection Procedures (the "LGIP"). In particular, the LGIP's definition of "Confidential Information" in Section 1.2.2 and the LGIP's Section 13.1 on "Confidentiality," and the subsections thereto, may include prohibitions on the use or disclosure of this information.

4. *State whether the information may be disclosed if it is aggregated with other information or masked to conceal certain portions, and if so the degree of aggregation or masking required.*

The Applicant considered whether it would be possible to aggregate or mask the information. However, no feasible method of aggregating or masking the information could be identified that would not either disclose the information or render the information provided useless.

5. *State whether and how the information is kept confidential by the applicant and whether it has ever been disclosed to a person other than an employee of the applicant, and if so under what circumstances.*

Applicant has not disclosed any of the subject information to anyone other than its employees, attorneys and consultants working on the Applicant's project and parties considering providing financing or equity participation to Applicant as allowed by the LGIP 13.1.2. Moreover, this information has not been disclosed to such persons except on a "need-to-know" basis.

*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 belief. I am authorized to make the Application and Certification on behalf of Applicant.*

Dated: January 4, 2010

ELLISON, SCHNEIDER & HARRIS L.L.P.

By: Shane Conway  
Christopher T. Ellison  
Shane E. Conway  
Ellison, Schneider & Harris L.L.P.  
Attorneys for Applicant