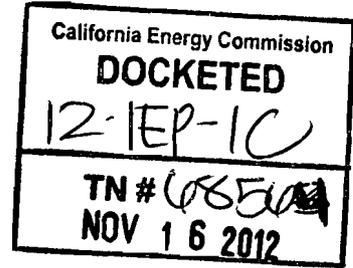


COMPLETED

Mariposa Energy, LLC

333 S. Grand Ave., Suite 1570, Los Angeles, CA 90071
Tel: (213) 473-0080 Fax: (213) 620-1170



November 9, 2012

Subject: Application for confidential designation
(CCR Title 20, §2505)

~~Docket Number (12-IEP-1C)~~

Mr. Oglesby,

On behalf of Mariposa Energy, LLC I am requesting confidentiality for all information provided on the CEC Information Request, "Mariposa Energy Project (09-AFC-3C) As-Built Information Request form.

Sincerely,

Bohdan Buchynsky
Senior Vice-President
Mariposa Energy, LLC
333 South Grand Avenue, #1570
Los Angeles, CA 90071-1519
Phone 213.473.0092. FAX 213.620.1170
b.buchynsky@dgc-us.com

APPLICATION FOR CONFIDENTIAL DESIGNATION
(Cal. Code Regulations, Title 20, § 2505)
DOCKET NUMBER: (12-IEP-1c)

Applicant: Mariposa Energy Project (09-AFC-3C)

Address of Applicant: 333 S. Grand Avenue, Suite 1570, Los Angeles, CA 90071

1. (a) Title, data, and description of the records:

Mariposa Energy Project (09-AFC-3C) As-Built Information Request – All data requested on this form chosen for confidential designation.

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

The Diamond Generating Corporation is requesting confidential designation for the following information items listed below.

Mariposa Energy Project (09-AFC-3C) As-Built Information Request – All data in request parameters 1 through 15.

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

Mariposa Energy Project (09-AFC-3C) As-Built Information Request – Keep record confidential for 10 years. Capital Cost, EPC, Turbine/Generator, BOP, Equipment, EPC, ERCs, Licensing/Permitting will have no negative impact after this duration of time.

3. (a) State the provision(s) of the Public Records Act (Gov. Code, § 6250 et seq.) or other law that allows the Energy Commission to keep the record confidential, and explain why the provision(s) applies to the record.

The completed forms requested by the Energy Commission contain information that is commercially sensitive, which the applicant considers to be confidential.

Mariposa Energy Project (09-AFC-3C) As-Built Information Request – See California Public Records Act 2004 §625415, California Code of Regulations, Title 20 Div 2, Chapter 7, Article 2 §2505(a)(1)(D) and California Code of Regulations, Title 20 Div 2, Chapter 7, Article 2 §2505(a)(1)(D)

California Public Records Act 20046254.15 Nothing in this chapter shall be construed to require the disclosure of records that are any of the following: corporate financial records, corporate proprietary information including trade secrets, and information relating to siting within the state furnished to a government agency by a private company for the purpose of permitting the agency to work with the company in retaining, locating, or expanding a facility within California. Except as provided below, incentives offered by state or local government agencies, if any, shall be disclosed upon communication to the agency or the public of a decision to stay, locate, relocate, or expand, by a company, or upon application by that company to a governmental agency for a general plan amendment, rezone, use permit, building permit, or any other permit, whichever occurs first.

California Code of Regulations, Title 20 Div 2, Chapter 7, Article 2 §2505(a)(1)(D)
Diamond Generating Corporation believes the public disclosure of any information required to

Attachment 2

be provided in the "Information Request for As Built and As-Operating Project Costs for the Mariposa Energy Center, Wildflower Indigo, and Wildflower Larkspur Power Plants" report to the CEC would otherwise cause loss of competitive advantage. This advantage would be lost with outside companies duplicating the information and learning how Diamond Generating Corporation builds, operates, purchases, and sells.

(b) 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.

This advantage would be lost with outside companies duplicating the information and learning how Diamond Generating Corporation builds, operates, purchases, and sells.

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 it is aggregated or masked, explain why.**

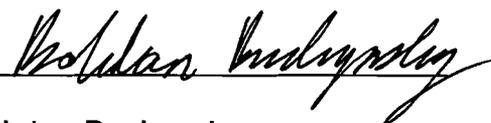
No, the information even aggregated has the potential to be discerned back to our particular projects.

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.**

Disclosure outside of Diamond Generating Corporation has only been with EPC contractor, retained legal counsel, specific OEMs and all have signed confidentiality agreements in advance.

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.

Dated: 11-9-2012

Signed: 

Name: Bohdan Buchynsky
(Typed or Printed)

Title: Senior Vice-President
Diamond Generating Corporation
(Typed or Printed)