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California Energy Commission

DOCKETED

14-STION-01

TN 74001

NOV 19 2014

File No. 053847-0007

October 27, 2014

14-STION-01

VIA FEDEX

Dockets Unit
California Energy Commission
1516 Ninth Street, MS 4
Sacramento, CA 95814

Re: Applications for Confidential
Designation

Attention Dockets Unit:

We are submitting Applications for Confidential Designation on behalf of Khosla Ventures III, L.P. and VNK Management LLC. Enclosed please find (i) a hardcopy application for each applicant; and (ii) 2 electronic copies of each applicant's confidential data, respectively. Please be advised that the electronic copies of the data are encrypted for safety measures.

Kindly acknowledge receipt of the enclosed by executing a copy of this letter and returning it to me via PDF or fax at your convenience. Upon receipt of the enclosed materials, please also contact me regarding the encryption key. If you have any questions regarding the enclosed, please do not hesitate to call me.

Best regards,

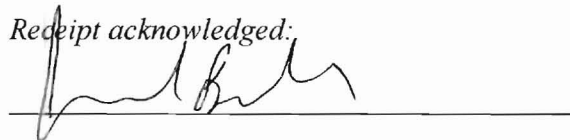


Michelle A. Chern
Finance Project Assistant
LATHAM & WATKINS LLP

Enclosures

cc: Haim Zaltzman Esq.
Nicholas Ainsley Esq. (via email)

Receipt acknowledged:



APPLICATION FOR CONFIDENTIAL DESIGNATION**(Cal. Code. Regs., tit. 20, § 2505 et seq.)**

CEC-13 (Revised 04/14)



CALIFORNIA ENERGY COMMISSION

An application to keep a record confidential should be submitted directly to the Docket Unit in paper form or on electronic media, but not by email. Five (5) copies of the record for which confidentiality is sought must be submitted, on separate media if electronic, each marked with the title of the record and "confidential." (§ 1209.5, subd. (a)(4).) The application should be on a sheet separate from, but may be attached to, the record. The application will then be acted upon by the Executive Director in consultation with the Chief Counsel of the Energy Commission. (§ 2505, subd. (a).) (November 30, 2011, Standing Order.)

Applications and associated documents related to power plant licensing proceedings must be uploaded directly to Dockets through the e-filing system. Paper copies or CDs do not need to be submitted. Links to the e-filing system are provided on each siting project's Commission webpage.

TO: Energy Commission Docket Unit

Applicant: VNK Management LLC

Address: 1760 The Alameda, Suite 300, San Jose, CA 95126

Phone and E-mail: 408-977-7092 or kim@mccabetotah.com

Proceeding or Project Name:

Docket Number:

- 1(a). Title, date, and description (including number of pages) of the information or data for which you request confidential designation. **Information or data seeking a designation of confidentiality must be included with this application.**

VNK Management Balance Sheet dated June 30, 2014

- 1(b). Specify the part(s) of the information or data for which you request confidential designation.
Entire balance sheet to be kept confidential.

2. State and justify the length of time the Energy Commission should keep the information or data confidential.

Financial reports are considered proprietary information as such should be held confidentially indefinitely.

- 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 information or data confidential, and explain why the provision(s) apply to that material. (See next page.)

• § 6254.15: "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"

APPLICATION FOR CONFIDENTIAL DESIGNATION**(Title 20 Cal. Code. Regs., § 2505 et seq.)**

CEC-13 (Revised 04/14)



CALIFORNIA ENERGY COMMISSION

- 3(b). Discuss the public interest in nondisclosure of the material submitted for a confidential designation. If the material contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, please 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.

- § 6254(k): Competitive advantage

4. State whether the information or data can 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 aggregated or masked, explain why.

Financial statements are considered proprietary information as such should be held confidentially indefinitely.

5. State how the material is kept confidential by the applicant and whether it has even been disclosed to a person other than an employee of the applicant. If it has, explain the circumstances under which disclosure occurred.

Financial reporting is only distributed internally and to LLC members due to proprietary and confidential nature of the information.

I certify under penalty of perjury under the laws of the State of California 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: 10/20/14

Signed: *Kim Totah*

Name (print or type): Kimberly Totah

Title: (print or type) CFO

Representing: VNK Management LLC

Include additional signature blocks if there are multiple partners in the project with shared responsibilities for making the request.

APPLICATION FOR CONFIDENTIAL DESIGNATION**(Cal. Code. Regs., tit. 20, § 2505 et seq.)**

CEC-13 (Revised 04/14)



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Applications and associated documents related to power plant licensing proceedings must be uploaded directly to Dockets through the e-filing system. Paper copies or CDs do not need to be submitted. Links to the e-filing system are provided on each siting project's Commission webpage.

TO: Energy Commission Docket Unit

Applicant: Khosla Ventures III, L.P.

Address: 2128 Sand Hill Road, Menlo Park, CA 94025

Phone and E-mail: 650-376-8500 or tt@khoslaventures.com

Proceeding or Project Name:

Docket Number:

- 1(a). Title, date, and description (including number of pages) of the information or data for which you request confidential designation. **Information or data seeking a designation of confidentiality must be included with this application.**

Khosla Ventures III, LP June 30, 2014 1 page Balance Sheet entitled KV III, LP - Balance Sheet as of 6.30.14.pdf.

- 1(b). Specify the part(s) of the information or data for which you request confidential designation.
Entire Balance Sheet to be held confidentially.

2. State and justify the length of time the Energy Commission should keep the information or data confidential.

Financial reports are considered proprietary information as such should be held confidentially indefinitely.

- 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 information or data confidential, and explain why the provision(s) apply to that material. (See next page.)

§ 6254.15: "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"

APPLICATION FOR CONFIDENTIAL DESIGNATION

(Title 20 Cal. Code. Regs., § 2505 et seq.)

CEC-13 (Revised 04/14)



CALIFORNIA ENERGY COMMISSION

- 3(b). Discuss the public interest in nondisclosure of the material submitted for a confidential designation. If the material contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, please 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.

§ 6254(k): Competitive advantage - Financial reports are considered proprietary information as such should be held confidentially indefinitely.

4. State whether the information or data can 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 aggregated or masked, explain why.

Financial reports are considered proprietary information as such should be held confidentially indefinitely.

5. State how the material is kept confidential by the applicant and whether it has even been disclosed to a person other than an employee of the applicant. If it has, explain the circumstances under which disclosure occurred.

Financial reporting is only distributed internally or with investors due proprietary and confidential nature of the information.

I certify under penalty of perjury under the laws of the State of California 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: 10/16/14

Signed:

Name (print or type): Tamara L. Tompkins

Title: (print or type) General Counsel and CAO

Representing: Khosla Ventures

Include additional signature blocks if there are multiple partners in the project with shared responsibilities for making the request.