

## CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
www.energy.ca.gov



California Energy Commission

**DOCKETED****14-STION-01**

TN 74049

NOV 24 2014

November 20, 2014

Michelle Chern  
Latham & Watkins, LLP  
505 Montgomery Street, Suite 2000  
San Francisco, CA 94111

RE: **Application for Designation of Confidential Records,  
Financial Data for Khosla Ventures III, L.P. and VNK Management LLC  
Docket # 14-STION-01**

Dear Ms. Chern:

The Energy Commission is in receipt of two applications for confidentiality filed by Khosla Ventures, III, L.P. and VNK Management LLC, ("Applicants"). The applications request confidential designation for the following two documents:

- 1) KV, III, L.P. Balance Sheet dated June 30, 2014
- 2) VNK Management Balance Sheet dated June 30, 2014

The applications state that the balance sheets are confidential because they contain a collection of proprietary financial data, release of which would cause loss of competitive advantage.

A properly filed Application for Confidentiality shall be granted under the California Code of Regulations, title 20, section 2505(a)(3)(A), "If the applicant makes a reasonable claim that the Public Records Act or other provision of law authorizes the Energy Commission to keep the record confidential." In this case the California Public Records Act allows for the non-disclosure of corporate financial records and corporate proprietary information relating to retaining, locating or expanding a facility within California. (Gov. Code, § 6254.15)

Applicants have made a reasonable claim that the law allows the Energy Commission to keep the balance sheets confidential on the grounds that they contain proprietary financial information related to retaining or expanding Stion's operations in California. The information has been developed exclusively by the Applicants, contains information

Michelle Chern  
November 20, 2014  
Page 2

that is not public, and has the potential for economic advantage. If competitors obtained the balance sheets the Applicant's competitive advantage could be lost.

Applicant requests that the information be kept confidential for 15 years.

For the above reasons, the request for confidential designation of the two balance sheets is granted. The information/data will remain confidential for 15 years from the date of this letter.

Be advised that persons may appeal this decision and petition to inspect or copy records that I have designated as confidential. The procedures and criteria for filing, reviewing, and acting upon such petitions are set forth in the California Code of Regulations, title 20, section 2506.

If you have any questions concerning this matter, please contact Jared Babula, Staff Counsel, at (916) 651-1462.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. P. Oglesby', followed by a horizontal line.

Robert P. Oglesby  
Executive Director

cc: Michael Doughton  
Jacob Orenberg