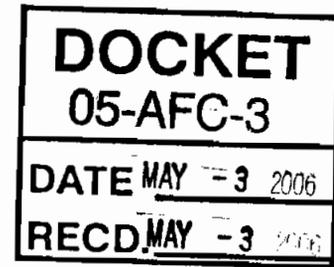


## CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512

May 3, 2006

Scott A. Galati  
Counsel for Edison Mission Energy  
Galati & Blek, LLP  
555 Capitol Mall, Suite 600  
Sacramento, CA 95814



RE: **Cultural Resources Application for Confidentiality,  
Sun Valley Energy Park,  
Docket 05-AFC-3**

Dear Mr. Galati:

On April 19, 2006, as part of the Sun Valley Energy Park (Sun Valley) project (Docket 05-AFC-3), Edison Mission Energy filed an application for confidentiality. The application seeks confidentiality for information concerning cultural resources contained in the "Confidential Cultural Resource Report prepared in Response to Data Request Number 49." Sun Valley states, in part:

Confidential Cultural Resources Report prepared in Response to Data Request Number 49 should be kept confidential indefinitely to protect potential cultural resources sites. If the descriptions of the locations of the sites are released to the public domain, there is a risk of looting. . . . Confidential Cultural Resources Report prepared in Response to Data Request Number 49 specifically identifies areas of potential cultural significance.

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 Commission to keep the record confidential."

The California Public Records Act recognizes the confidentiality principles of federal law. (Gov. Code, sec. 6254(k).) The Archaeological Resources Protection Act establishes a clear, national legal policy that all types of archaeological, paleontological, and cultural resource site locations must be kept confidential in order to preserve them. (16 U.S.C. sec. 470hh.) Non-disclosure of the cultural resource information, such as the information that you have submitted, is expressly in the public interest.

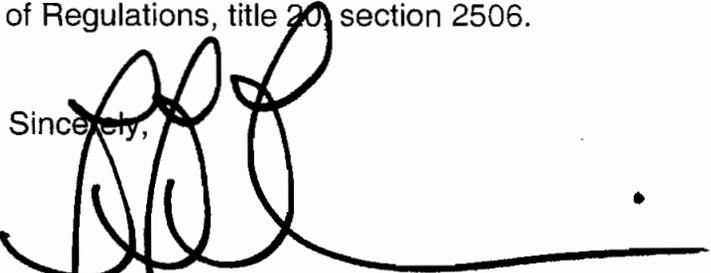
Therefore, Sun Valley's April 19, 2006, confidentiality application for cultural resources is granted in its entirety. The "Confidential Cultural Resources Report prepared in Response to Data Request Number 49" will be kept confidential for an indefinite period. Any subsequent submittals related to cultural resources can be deemed confidential as specified in this letter without the need for a new application under California Code of

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Regulations, title 20, sections 2505(a)(1)(G) and 2505(a)(4), if you file a certification under penalty of perjury that the new information is substantially similar to that which is granted confidential status by this determination.

Persons may petition to inspect or copy those records that I have designated as confidential. The procedures and criteria for filing, reviewing, and acting upon such petitions are set forth at California Code of Regulations, title 20, section 2506.

Sincerely,



B. B. BLEVINS  
Executive Director

cc: Docket Unit  
Energy Commission Project Manager