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DATE JUN 30 2006
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June 30, 2006

B.B. Blevins
Executive Director
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

RE: The South Bay Replacement Project Application for Certification: Application for Confidential Designation

Dear Mr. Blevins:

Pursuant to Title 20 California Code of Regulations (CCR) Sections 2501 *et seq.*, LSP South Bay, LLC hereby submits this "Application for Confidential Designation," for the South Bay Replacement Project, regarding cultural and paleontological resources.

We are filing five copies of this request and the information it concerns with the Commission's Docket Office. 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,

Chris Ellison

Christopher T. Ellison
Attorneys for LSP South Bay, LLC

enc.

APPLICATION FOR CONFIDENTIAL DESIGNATION
The South Bay Replacement Project

Paleontological Resources

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

   Information related to paleontological resources pursuant to the California Energy Commission's regulations concerning Applications for Certification.

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

   This information should be held confidential indefinitely in order to protect the paleontological resources 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.*

   The Commission's regulations require that this information be submitted under a request for confidential designation. Calif. Code of Regulations, Title 20, Chapter 5, Appendix B, section (g)(16)(D). The information is exempt from disclosure under the Public Records Act pursuant to Government Code section 6254.10. The public interest in nondisclosure is that disclosure may enable location of these resources by thieves, vandals, or persons conducting unauthorized collection of materials.

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.*

   LSP South Bay, LLC 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.*

   LSP South Bay, LLC has not disclosed any of the subject information to anyone other than its employees, attorneys and consultants working on the South Bay Replacement Project. Moreover, this information has not been disclosed to persons employed by or working for LSP South Bay, LLC except on a "need-to-know" basis. LSP South Bay,

LLC is marking this information as "confidential" and is instituting a policy that it be segregated from other South Bay Replacement Project files and that access to it be restricted to a designated confidential information manager within LSP South Bay, LLC or its attorneys/consultants.

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 LSP South Bay, LLC.

Dated: June 30, 2006

ELLISON, SCHNEIDER & HARRIS LLP

By: _____
Christopher T. Ellison

Attorneys for LSP South Bay, LLC

APPLICATION FOR CONFIDENTIAL DESIGNATION
The South Bay Replacement Project

Cultural Resources

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

   Information related to cultural resources pursuant to the California Energy Commission's regulations concerning Applications for Certification.

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

   This information should be held confidential indefinitely in order to protect the cultural resources 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.*

   The Commission's regulations require that this information be submitted under a request for confidential designation. Calif. Code of Regulations, Title 20, Chapter 5, Appendix B, section (g)(2)(C). The information is exempt from disclosure under the Public Records Act pursuant to Government Code §§ 6254(r) and 6254.10. The public interest in nondisclosure is that disclosure may enable location of these resources by thieves, vandals, or persons conducting unauthorized collection of materials.

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.*

   LSP South Bay, LLC 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.*

   LSP South Bay, LLC has not disclosed any of the subject information to anyone other than its employees, attorneys and consultants working on the South Bay Replacement Project. Moreover, this information has not been disclosed to persons employed by or

working for LSP South Bay, LLC except on a "need-to-know" basis. LSP South Bay, LLC is marking this information as "confidential" and is instituting a policy that it be segregated from other South Bay Replacement Project files and that access to it be restricted to a designated confidential information manager within LSP South Bay, LLC or its attorneys/consultants.

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 LSP South Bay, LLC.

Dated: June 30, 2006

ELLISON, SCHNEIDER & HARRIS LLP

By: _____
Christopher T. Ellison

Attorneys for LSP South Bay, LLC