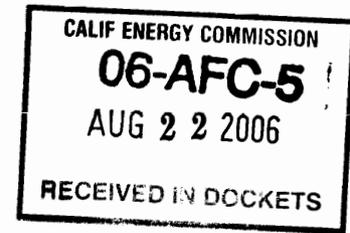


CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512

August 22, 2006



Cindy J. Poiré
URS Corporation
Panoche Energy Center, LLC
2542 Singletree Lane
South Jordan, UT 84095

RE: **Cultural Resources, Confidentiality Application,
Panoche Energy Center, Docket No. 06-AFC-5**

Dear Ms. Poiré:

On August 2, 2006, as part of the Panoche Energy Center (Panoche) project (Docket 06-AFC-5), URS filed an application for confidentiality. The application seeks confidentiality for information concerning cultural resources contained in "Cultural Resources Technical Report, (Appendix J of 06-AFC-5), including Scientific Literature Review, Site Records/Specimen Survey, and Historical Resources Inventory and Evaluation Report for the Panoche Energy Center in Fresno County, California."

The application for confidentiality states, in part:

The information should be kept confidential indefinitely to protect cultural resources site locations identified in the report. If the descriptions of the location of the sites are released to the public domain, there is an unacceptable risk of looting.

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 has been submitted, is expressly in the public interest.

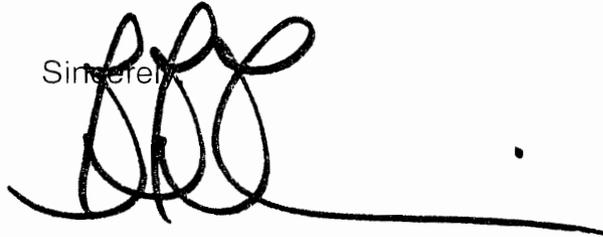
Therefore, the application of confidentiality is granted in its entirety. Appendix J will be kept confidential for an indefinite period. Any subsequent submittals related to cultural resources can be deemed confidential as specified in this letter without the need for a new application under California Code of Regulations, title 20, sections 2505(a)(1)(G) and 2505(a)(4), if you file a certification under penalty of perjury that the new

Cindy J. Poiré
August 22, 2006
Page 2

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 in the California Code of Regulations, title 20, section 2506.

Sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.

B. B. BLEVINS
Executive Director

cc: Docket Unit
Energy Commission Project Manager