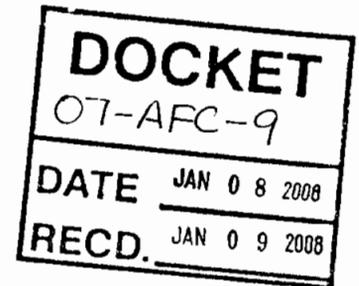


CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512

January 8, 2008



Mr. Scott A. Galati
Galati & Blek LLP
555 Capitol Mall, Suite 600
Sacramento, CA 95814

**RE: Cultural Resources, Confidentiality Application,
Canyon Power Plant Project, Docket No. 07-AFC-9**

Dear Mr. Galati:

On December 21, 2007, Southern California Public Power Authority (SCPPA) filed an application for confidentiality on behalf of the Canyon Power Plant (07-AFC-9) with the California Energy Commission. The confidentiality application seeks permanent confidentiality for the Cultural Resources Survey, AFC Appendix D3. SCPPA's confidentiality application states, in part:

Confidential Cultural Resources Survey 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 Survey specifically identifies areas of potential cultural significance. It is thus protected under Government Code Sections 6254(e) and 6254(k). Protection provided is analogous to that given to Native American sacred places under Section 6254(r) of the Government Code.

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."

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 that SCPPA has submitted is expressly in the public interest. Therefore, SCPPA's confidentiality application is granted in its entirety, and the information will be kept confidential for an indefinite period.

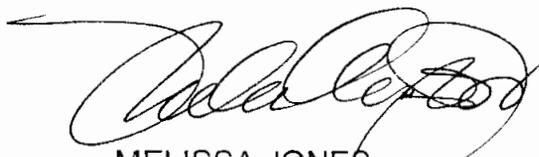
Any subsequent submittals related to cultural resources can be deemed confidential as specified in this letter without the need for a new application under California Code of

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

Finally, persons may petition to inspect or copy the 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 further questions concerning this matter, please contact Fernando De Leon, Senior Staff Counsel, at (916) 654-4873.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Jones", written in a cursive style. The signature is positioned above the printed name and title.

MELISSA JONES
Executive Director

cc: Docket Unit
Energy Commission Project Manager