



Department of Energy

Official File

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

CORPORATE

November 29, 2004

In reply refer to: KDP-7

Mr. Michael A. Goldfarb
1150 Market Place tower
2025 First Avenue
Seattle, WA 98121
(206) 374-7090

RE: FOIA Request #05-009

Dear Mr. Goldfarb:

Thank you for your letter of November 16, 2004, requesting information under the Freedom of Information Act. In your letter you request copies of all comments received by BPA relating to the 2004 Transmission – Policy Level Environment Impact Statement (EIS); and all internal communications, whether written or electronic, relating to BPA's decision to suspend work on the 2004 Transmission – Policy Level EIS.

Your request was received by our office on November 29, 2004 and has been logged in as FOIA #05-009. You have agreed to pay costs up to \$100. If costs for your request exceed \$100, we will notify you with an estimate before proceeding.

Kathy Pierce, Environmental Protection Specialist, has been designated as Authorizing Official for your request. A member of her staff will estimate costs for this request and will contact you regarding the estimate before we proceed. Ms. Pierce has 20 working days from the date of your agreement to pay estimated fees to provide a response. Should you have any questions Ms. Pierce may be reached at Mail Stop KEC-4 or by calling 503-230-3692.

Sincerely,

Annie Eissler
Freedom of Information Officer

LAW OFFICES OF
MICHAEL A. GOLDFARB
1150 MARKET PLACE TOWER
2025 FIRST AVENUE
SEATTLE, WASHINGTON 98121

RECEIVED
DEC 16 2004

PHONE 206.374.7090
FAX 206.374.7095

MICHAEL A. GOLDFARB
mgoldfarb@goldfarb-law.com

December 14, 2004

Annie Eissler, FOIA Officer
Bonneville Power Administration
Routing: KDP-4
P.O. Box 3621
Portland, OR 97208

Re: FOIA Nos. 05-003, 05-004, 05-005, 05-006 and 05-009

Dear Ms. Eissler:

Your office recently acknowledged receiving several requests for information under the Freedom of Information Act. Those requests were sent via first class U.S. Mail on November 16, 2004, and logged as FOIA Nos. 05-003, 05-004, 05-005, 05-006 and 05-009.

In your letters acknowledging receipt, you claim that our requests were received on November 29, 2004. It is not unreasonable to assume that a letter sent via U.S. Mail will arrive within three calendar days. Such an assumption, in fact, is supported by the Federal Rules of Appellate Procedure. See. FRAP 26(c) (3 calendar days are added to the prescribed period).

Unless your office can show otherwise, we must assume that these letters were actually received by BPA on November 19, 2004.

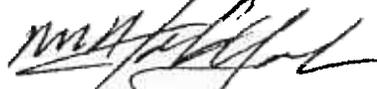
The Freedom of Information Act mandates that "Each agency, upon any request for records. . . shall-- determine within 20 days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of any such request whether to comply with such request and shall immediately notify the person making such request of such determination and the reasons therefore." U.S.C. § 552(6)(A)(i).

As it is reasonable to assume that our requests were actually received by your office on November 19, 2004, a response to our requests is due no later than December 21, 2004. If our determination of the corrected response date is inaccurate, please advise us in writing.

Annie Eissler, FOIA Officer
December 14, 2004
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Thank you for your prompt attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael A. Goldfarb", written in a cursive style.

Michael A. Goldfarb

cc: Steve Larson



Department of Energy

Official File

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

CORPORATE

March 25, 2005

In reply refer to: KDP-7

Mr. Michael A. Goldfarb
1150 Market Place tower
2025 First Avenue
Seattle, WA 98121
(206) 374-7090

RE: Fee Estimate for FOIA Request 05-009

Dear Mr. Goldfarb:

Your letter dated November 16, 2004, requesting information under the Freedom of Information Act. In your letter you request copies of the following:

1. All comments received by BPA relating to the 2004 Transmission – Policy Level Environmental Impact Statement (“EIS”).
2. All internal communications, whether written or electronic, relating to BPA’s decision to suspend work on the 2004 Transmission – Policy Level EIS.

Some of the information you seek is readily available on the BPA website at www.transmission.bpa.gov/PlanProj/Policy%5FEIS/PEIS.cfm. You may find reviewing this website helpful.

In your letter, you indicated your willingness to pay fees associated with processing up to \$100. Upon review of your request by the authorizing official, it appears the cost to process your request will exceed the \$100 fee limitation noted in your letter. In our acknowledgment letter to you dated November 29, 2004, we notified you that we would be in contact with you with an estimate of costs for processing your request. We apologize for the tardiness in providing this estimate to you.

Ms. Pierce has estimated fees associated with processing your request at approximately \$890.00. In order for us to consider your request perfected and begin the 20 working day response time allowed by FOIA, we require your signed agreement to pay the fee amount estimated above. Please provide your signature on the third page of this letter indicating your agreement to pay the estimated fees and return it to us. Upon receipt, our staff will promptly begin processing your request in the 20 working day time frame provided under the FOIA.

We will await your response. In the meantime, if you have any questions, you may contact me at mail stop KDP-7 or at 503-230-5110.

Sincerely,

Annie Eissler
Freedom of Information Officer

RE: FOIA Request 05-009 – Fee Estimate Agreement

For BPA's official records, please sign in the space indicated below that you accept the estimation of fees contained in this letter dated March 25, 2005 regarding FOIA request 05-009 and send back by return fax (503) 230-4576 or mail.

Mr. Michael A. Goldfarb
Law Offices of Michael A. Goldfarb



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

CORPORATE

April 26, 2005

In reply refer to: KDP-7

Mr. Michael A. Goldfarb
1150 Market Place Tower
2025 First Avenue
Seattle, WA 98121
(206) 374-7090

RE: FOIA Request #05-009

Dear Mr. Goldfarb:

I am writing regarding your Freedom of Information Act (FOIA) request #05-009. We are unable to meet the initial deadline for completion of this FOIA request; as permitted by statute; we will take a ten working-day extension of time in which to respond to your request. The extension will also provide us with enough time to collect and complete the review process of the materials gathered in response to your FOIA request. The new due date for this FOIA is May 10, 2005.

If you have any questions, please contact me at (503) 230-3084. Thank you for your patience.

Sincerely,

Debra Smiley
Freedom of Information Office



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

CORPORATE

June 1, 2005

In reply refer to: KDP-7

Mr. Michael A. Goldfarb
1150 Market Place Tower
2025 First Avenue
Seattle, WA 98121
(206) 374-7090

RE: FOIA Request #05-009

Dear Mr. Goldfarb:

This letter responds to your Freedom of Information Act (FOIA) request designated as FOIA #05-009. Enclosed in their entirety are all documents responding to your request for:

1. All comments received by BPA relating to the 2004 Transmission – Policy Level Environment Impact Statement (EIS); and
2. All internal communications, whether written or electronic, relating to BPA's decision to suspend work on the 2004 Transmission – Policy Level EIS.

If you are dissatisfied with this determination, you may make an appeal within thirty (30) days of receipt of this letter to: Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue SW, Washington, D.C. 20585. Both the envelope and the letter must be clearly marked "Freedom of Information Act Appeal".

You have agreed to pay fees up to \$890 to fulfill this request. Search, review and duplication for this request totaled \$673.74. You will be sent an invoice in the amount of \$673.74, under separate cover by our accounting department.

Sincerely,

Annie Eissler
Freedom of Information Officer