



Department of Energy

Official File

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

CORPORATE

November 17, 2005

In reply refer to: DK-7

Mr. Thomas Wolfe
The Wolfe Firm
AGC Building
1200 Westlake Avenue North
Suite 809
Seattle, WA 98109-3590

RE: FOIA Request #06-001

Dear Mr. Wolfe:

This letter responds to your Freedom of Information Act request dated October 6, 2005, designated as FOIA #06-001. In your letter, you requested:

1) All documents which set forth whether or not the BPA, on July 27, 2005, was required to follow the National Electrical Safety Code, and in particular, Part 2, entitled, "Safety Rules for Overhead Lines."

Response: BPA is not required to follow the National Electrical Safety Code. However, BPA elects to use the National Electrical Safety Code (NESC) as a basis for establishing clearance requirements for overhead transmission lines. BPA drawing #124610 entitled, "BPA Minimum Transmission Line Clearances and Crossing Data," is the clearance drawing that was in place when the Tacoma-Raver transmission line was built. BPA submitted this drawing to you per your earlier request, which BPA designated as FOIA #05-050. On drawing #124610 in the area identified as "Notes," which is just above the title block on the bottom right portion of the drawing, it states that A) Clearances Based On 6th Edition NESC Code, and B) This Standard In Effect 9-5-62 to 3-20-79.

2) All documents which define BPA's responsibilities for removing a tree, or any portion thereof, if said tree is found to be an "imminent hazard," as referred to under the section entitled, "Contributing Causes," on page 4, of the report entitled, "Tacoma-Raver #1&2 500kV Line House Fire Near Structure 15/2," provided in response to FOIA Request #05-052.

Response: The documents that define BPA's responsibilities for removing imminent hazard trees can be found in the package that BPA submitted to you per your request that BPA designated as FOIA #05-049. These documents are found under item #4 of that request. The

term “imminent hazard tree” is synonymous with the term “Danger Brush” that is found in the following, listed documents. In the document entitled “Transmission Line Aircraft Patrol,” PT 02 01 93-03, in Section E the table on page 4, entitled “Right-of-Way Maintenance Criteria for Tree Clearance,” states BPA’s responsibility for removing danger brush. In the document entitled “Working Patrol,” PT 02 02 82-04, in Section F the table on page 6, entitled “Right-of-Way Maintenance Criteria for Tree Clearance,” states BPA’s responsibility for removing danger brush. In the document entitled “Danger Tree and Brush Selection Criteria,” PT 07 03 85-03, in Section III.B, the table on page 6, entitled “Right-of-Way Maintenance Criteria for Tree Clearance,” states BPA’s responsibility for removing danger brush.

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

Because processing fees to fulfill these FOIA requests were less than the minimum \$15, you will not be charged for this request. If you have any questions regarding this response, you may contact me at 503-230-7303.

Sincerely,

/s/Christina J. Brannon

Christina J. Brannon
Freedom of Information Officer