



Department of Energy

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

PUBLIC AFFAIRS

January 30, 2007

In reply refer to: DKN-7

Mr. Dan Seligman
Attorney at Law
Columbia Research Corporation
P.O. Box 99249
Seattle, WA 98139

RE: FOIA Request 07-013

Dear Mr. Seligman:

Thank you for the request for information that you made to the Bonneville Power Administration (BPA), under the Freedom of Information Act (FOIA), 5 U.S.C. 552. Your letter was received in this office on Tuesday, January 30, 2007, and has been assigned a control number, 07-013. Please use this number in any correspondence with the Agency about your request.

You have requested the following:

1. Copies of all contracts and/or contract amendments between BPA and Washington2 Advocates;
2. Copies of all invoices submitted by Washington2 Advocates to BPA;
3. Copies of all correspondence, whether in written or electronic form, between BPA and Washington2 Advocates; and
4. Copies of all work product and written advice, including but not limited to reports, analyses, newsletters and other documents, whether in written or electronic form, submitted by Washington2 Advocates to BPA; and
5. The names, dates and titles of all individuals contacted by Washington2 Advocates on behalf of BPA.

After reviewing your letter, it was determined that it addressed all of the criteria of a proper request under the FOIA, DOE, and BPA regulation that implements the FOIA at Title 10, Code of Federal Regulations, Part 1004. In your request, you expressed a willingness to pay processing fees in the amount not exceed \$150.00. As requested, if for any reason the charges exceed this amount; our office will contact you before proceeding with the request.

Sonya L. Baskerville, Manager, National Relations, Washington, DC, has been designated as the Authorizing Official (AO) for your request. Ms. Baskerville has 20 working days, until Tuesday, February 27, 2007, to provide a response. Should you have any questions, Ms. Baskerville may be reached by calling (202) 586-5640.

I appreciate the opportunity to assist you with this matter. If you have any questions about this letter, please contact my FOIA Specialist, Laura M. Atterbury, at (503) 230-7305.

Sincerely,

/s/ Christina J. Brannon

Christina J. Brannon
Freedom of Information Act Officer



Department of Energy

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

PUBLIC AFFAIRS

February 23, 2007

In reply refer to: DK-7

Mr. Dan Seligman
Attorney at Law
Columbia Research Corporation
P.O. Box 99249
Seattle, WA 98139

RE: FOIA Request 07-013

Dear Mr. Seligman:

This letter responds to your request for information that you made to the Bonneville Power Administration (BPA), under the Freedom of Information Act (FOIA), 5 U.S.C. 552. Your letter was received in this office on Tuesday, January 30, 2007, and was assigned a control number, 07-013.

You have requested the following:

1. Copies of all contracts and/or contract amendments between BPA and Washington2 Advocates;

Response: Pages 1 thru 4 and 26 thru 27 released in their entirety.

2. Copies of all invoices submitted by Washington2 Advocates to BPA;

Response: Pages 5 thru 25, 28 thru 29 and 32 thru 33 released with redacted information protected under Exemption 6 of the FOIA.

3. Copies of all correspondence, whether in written or electronic form, between BPA and Washington2 Advocates; and

Response: Pages 30 thru 31 and 34 thru 35 are electronic correspondence between BPA and Washington2 Advocates released in their entirety except for Page 30 which has a portion redacted and withheld under Exemption 5 of the FOIA.

4. Copies of all work product and written advice, including but not limited to reports, analyses, newsletters and other documents, whether in written or electronic form, submitted by Washington2 Advocates to BPA; and

Response: Several documents are being withheld in their entirety and protected under Exemption 5 of the FOIA.

5. The names, dates and titles of all individuals contacted by Washington2 Advocates on behalf of BPA.

Response: We have no responsive document to this request.

In Item 2, we are withholding taxpayer number, bank account and routing numbers from these records because they are protected under Exemption 6 of the FOIA. Exemption 6 of the FOIA protects personnel, medical and similar files when disclosure would cause a clearly unwarranted invasion of personal privacy (5 U.S.C. 552(b)(6)).

In Items 3 and 4, we are withholding, in their entirety, information under Exemption 5 of the FOIA which protects from mandatory disclosure “inter-agency or intra-agency memorandums or letters that would not be able by law to a party other than an agency in litigation with the agency . . .” Exemption 5 incorporates the deliberative process privilege which protects advice, recommendations, and opinions that are part of the process by which agency decisions and policies are formulated.

Exemption 5 also protects attorney client information, which is communications between attorney and client that relate to a legal matter for which the client has sought professional advice. The privilege usually protects a client’s disclosure to any attorney, but also extends to an attorney’s opinion based on those disclosures, and to communications between attorneys that reflect client-supplied information.

If you are dissatisfied with our 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 will be billed, under separate cover by our Accounting Department, in the amount of \$126.87 for total costs associated with processing your request. I appreciate the opportunity to assist you with this matter. If you have any questions about this response, please contact me or Laura M. Atterbury, FOIA Specialist, at (503) 230-7305.

Sincerely,

/s/ Christina J. Brannon

Christina J. Brannon
Freedom of Information Act Officer

Enclosure (responsive documents w/redactions)