



Department of Energy

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

PUBLIC AFFAIRS

March 21, 2007

In reply refer to: DK-7

Mr. Abel Lopez, Director, FOIA/PA Division
Office of Executive Secretariat
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

RE: FOIA F2003-00752 (BPA FOIA #07-022)

Dear Mr. Lopez:

This letter is in response to your office request to review the enclosed three documents that originated from Bonneville Power Administration (BPA) and are responsive to your incoming FOIA F2003-00752, dated October 31, 2003, from Mr. Tom Detzel, Newhouse News Service, 1101 Connecticut Avenue NW, Suite 300, Washington, DC 20036.

After review and concurrence with BPA's Office of General Counsel, we have determined that all three documents should be provided with information withheld under Exemption 5 of the FOIA, 5 U.S.C. 552(b)(5).

Exemption 5 protects from mandatory disclosure "inter-agency or intra-agency memorandums or letters that would not be available 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 are 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.

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/PA Officer

Enclosure(s): (3 responsive documents w/redactions)

Glotfelty, Jimmy

From: sjwright@bpa.gov
Sent: Monday, May 19, 2003 11:33 AM
To: McSlarrow, Kyle
Cc: Kolevar, Kevin; Glotfelty, Jimmy; Hill, David R. (GC)
Subject:

[Redacted]

-----Original Message-----

From: Wright, Stephen J - A-7 (mailto:sjwright@bpa.gov)
Sent: Friday, May 16, 2003 6:38 PM
To: Kyle McSlarrow (E-mail)
Subject:

[

Redacted

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[Redacted]

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Glotfelter, Jimmy

From: sjwright@bpa.gov
Sent: Thursday, August 07, 2003 2:27 PM
To: McSlarrow, Kyle; Glotfelter, Jimmy; Hill, David R. (GC); Kolevar, Kevin
Subject:

[

Redacted

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Glotfelty, Jimmy

From: sjwright@bpa.gov
Sent: Tuesday, August 19, 2003 2:21 PM
To: McStarow, Kyle; Kolevar, Kevin; Glotfelty, Jimmy; Hill, David R. (GC)
Subject:

[

Redacted

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