



Department of Energy

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

PUBLIC AFFAIRS

October 20, 2008

In reply refer to: DK-7

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

RE: FOIA #08-037

Dear Mr. Seligman:

This is the final response 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. In your initial letter you asked for the following:

1. A copy of all Non-ASC communications from May 2, 2007, to the present between BPA and the region's investor-owned utilities ("IOUs") regarding the Residential Exchange Program ("REP"), the legality of the REP settlement agreements, the suspension of REP settlement payments, the interim rate relief contracts ("standstill" contracts) and the design of a new REP program that complies with the Ninth Circuit decisions in *Portland General Electric v. BPA Golden Northwest v. BPA and Public Utility District No. 1 of Snohomish County v. BPA*. The term "communications" includes all written and electronic communications, including emails and their attachments, whether generated by BPA, the IOUs or a third party.

Response: On July 1, 2008, BPA released 293 pages of responsive documents in their entirety with some documents that were still under Exemption 4 review. Since that time, BPA has completed the Exemption 4 review on the remaining 27 pages of responsive documents which are being released to you in their entirety.

If you are dissatisfied with this determination, you may make an appeal within thirty (30) days of receipt of this letter to the Director of Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585. Both the envelope and the letter must be clearly marked "Freedom of Information Act Appeal." There is no charge for your request.

I appreciate the opportunity to assist you with this matter and we apologize for any inconvenience. If you have any questions about this letter, please contact Laura M. Atterbury, FOIA/Privacy Act Specialist, at 503-230-7305.

Sincerely,

Christina J. Brannon
Freedom of Information Act/Privacy Act Officer

Enclosure: Responsive Documents