



Department of Energy

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

PUBLIC AFFAIRS

February 4, 2009

In reply refer to: DK-7

Mr. Richard Kuhn
Hoffman, Hart, Wagner, LLP
1000 SW Broadway, 20th Floor
Portland, OR 97205

RE: FOIA Request #09-020

Dear Mr. Kuhn:

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.A. § 552.

You requested the following:

A copy of any and all information and documents regarding the investigation involving the Parks at Forest Grove, a 217 lot subdivision on NW Thatcher Road in Forest Grove, Oregon, including any memoranda, electronic media, photographs, videotapes, test results or other information and specifically related, but not limited to, case number 20050289.

RE: David Hill Development, LLC, v. City of Forest Grove, et al.
Claim No.: GLFRG 2006046252
Our File No.: CC-20566

Response:

BPA has provided responsive Documents 1 thru 12, 14 thru 36, 38 thru 63 and 65 thru 93 in their entirety Documents 13, 37 and 64 are provided with some information deleted under Exemption 6 of the FOIA, 5 U.S.C. 552(b)(6).

Exemption 6 protects from mandatory disclosure “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” A home address, personal cell phone number, bank account information and signature, have been deleted from the responsive documents.

In applying Exemption 6, the DOE considered (1) whether a significant privacy interest would be invaded; (2) whether release of the information would further the public interest by shedding light on the operations or activities of the Government; and (3) whether in balancing the privacy interests against the public interest, disclosure would constitute a clearly unwarranted invasion of privacy.

The withheld information is of a highly personal nature and the individual to whom it pertains has an expectation that it will remain private. Disclosure of this information could subject the individual in question to unwanted communications, attention, and harassment that would intrude into his personal life.

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, DC 20585. The envelope and the letter must be clearly marked "Freedom of Information Act Appeal." There is no charge for this request.

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

Sincerely,

/s/ Christina J. Brannon

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

Enclosure(s): Responsive Documents