



## Department of Energy

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

PUBLIC AFFAIRS

March 5, 2010

In reply refer to: DK-7

Mr. Craig Orput  
32401 NE Dial Road  
Camas, WA 98607

### **FOIA #BPA-2010-01009-F**

Dear Mr. Orput:

This is a final response to the request for information that you sent to the Bonneville Power Administration (BPA) under the Freedom of Information Act (FOIA), 5, U.S.C. 552. You asked for a complete list including Name, Address 1, Address 2, City, State, and Zip Code of all property owners that received the initial letter from BPA outlining the plans for routing new 500 KVA power lines from Castle Rock, Washington, to Gresham, Oregon.

BPA has completed the search for responsive documents. The search found documents that are responsive to the request. However, all information in the responsive documents fall under Exemption 6 of the FOIA, 5 U.S.C. 552 (b)(6) and therefore will not be released. There is no charge for your request.

Exemption 6 protects from disclosure "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." 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 interest against the public interest, disclosure would constitute a clearly unwarranted invasion of personal privacy.

The name and home addresses of individuals 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 to whom it pertains to unwanted communications that would intrude into his personal life. Finally, disclosure of the information withheld will not reveal any aspects about the operations or activities of the Government.

To the extent permitted by law, the DOE, pursuant to Title 10, Code of Federal Regulations (CFR), Section 1004.1, will make available records that it is authorized to withhold under the FOIA when it determines that such disclosure is in the public interest. Disclosure of the information exempt pursuant to Exemption 6 would not be in the public interest because the

public interest in disclosure does not outweigh the adverse impact that will occur to the individual in question.

Our determination satisfies the standard set forth by the Attorney General on October 12, 2001. That standard states that an agency is justified in not releasing requested material on a discretionary basis where release of that material could adversely impact any particular process of the agency or government deliberations; could adversely impact other institutional, commercial, and personal privacy interests that might be implicated by disclosure, or could present an unwarranted risk of adverse impact on the ability of other agencies to protect other important records.

Pursuant to 10 CFR 1004.8, the denial of information and the adequacy of a search may be appealed in writing within 30 calendar days of receipt of a letter denying any portion of the request. The appeal should be made to the Director, Office of Hearings and Appeals, HG-1, Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-1615.

The written appeal, including the envelope, must clearly indicate that a FOIA Appeal is being made. The appeal must contain all other elements required by 10 CFR 1004.8. Judicial review will thereafter, be available to you: (1) in the district where you reside; (2) in the district where you have your principle place of business; (3) in the district where the DOE records are situated; or (4) in the District of Columbia.

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

Sincerely,

*/s/ Christina J. Brannon*

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