

Department of Energy

Official File

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

CORPORATE

February 10, 2004

In reply refer to: KDP-4

Mr. Dan Seligman
Columbia Research Corporation
209 W. Evergreen Blvd., Suite 605
Vancouver, WA 98660

Re: FOIA Request No. 04-005

Dear Mr. Seligman:

This letter responds to your Freedom of Information Act (FOIA) request to the Bonneville Power Administration (BPA) dated November 14, 2004, designated as our log number 04-005, in which you requested copies of the cell phone logs for the following three BPA employees (former employees):

1. Steve Wright, Administrator
2. Judi Johansen, Administrator (between June 1 and her departure)
3. Jeff Stier, National Relations Vice President in the Washington D.C. office.

We located some of the cell phone records you requested. Cell phone records for Jeff Stier for the year 2000 do not exist, or the individual did not have a cell phone during this time period. In addition, we are not including the cell phone records for Mr. Stier and Mr. Wright for the month of August 2002, as they no longer exist.

We are withholding any personal phone 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 analyzing whether the personal phone numbers are required to be released under the FOIA, we balanced the privacy interests in the information against any public interest served by disclosure. We find the privacy interest outweighs any public interest in disclosure in this case.

First, we determine there is a privacy interest in an individual's personal phone number. Privacy encompasses an individual's control of information pertaining to him or herself. An individual has the option to control the dissemination and/or use of his or her personal phone number by

requesting the phone number to be unlisted, by requesting restricted use of the phone number (i.e., prohibiting commercial solicitation calls), or by refusing to give it out upon request.

Second, we determine there is no public interest served by the release of these personal phone numbers. Release of personal phone numbers will not significantly contribute to the public's understanding of BPA operations or activities or shed light on the performance of BPA's statutory duties. BPA is releasing all information pertaining to calls made to conduct BPA business, and all calls placed to any non-personal phone number.

Because there is a privacy interest in the withheld information and there is no public interest served by disclosure, we find the privacy interest clearly outweighs the public interest in the release of this information. In addition, a discretionary disclosure of the personal phone numbers is not appropriate. Release of the personal phone numbers is likely to cause foreseeable harm to the privacy interests of the individuals the exemption is intended to protect.

In your original request, and subsequent amended request, you agreed to pay fees. In accordance with our agency FOIA regulations, fees to complete this request totaled \$605.93. You will be invoiced for this amount under separate cover by our accounting department.

If you are dissatisfied with this determination, you may make an appeal within 30 days of your receipt of this letter to the Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue, SW, Washington, D.C. 20585. You must clearly mark both the appeal and the envelope "Freedom of Information Act Appeal."

If you have any questions regarding this response, you may contact me at 503-230-5110.

Sincerely,



Annie Eissler
Freedom of Information Act Officer