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RECEIVED BY BPA
FOIA OFFICE THIS
DATE: 7/1/13
DUE DATE:
7/30/13
LOG #
BPA-2013-01256-F

June 28, 2013

Bonneville Power Administration
Attn: Christina J. Munro, FOIA Officer
Mail Stop DK-7
P.O. Box 3621
Portland, OR 97208
Via United States Mail and Fax (503) 230-4019

Re: Freedom of Information Act Request
FOIA Request # 1810

Dear Ms. Munro:

Michel and Associates, P.C., has been retained as legal counsel by CEP Funding, LLC, and Columbia Energy Partners, LLC. On behalf of CEP Funding, LLC, and Columbia Energy Partners, LLC, we waive any objections to disclosure due to claims of proprietary information or trade secret.

This letter constitutes a request under the Freedom of Information and Privacy Act, pursuant to 5 U.S.C. § 552. This request seeks the information listed below, regardless of the medium on which it is kept.

COMPLIANCE CONSIDERATIONS

This request seeks the information listed below, whether in the form of a writing, email, computer file, photograph, audio or video tape, or however kept. For purposes of this request, the following words have the following meanings:

WRITING, whether singular or plural, means handwriting, typewriting, printing, photostating, photographing, and ever other means of recording upon any tangible thing

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June 28, 2013
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any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof.

Please review this request in its entirety and include the above reference number in all future correspondence regarding this request. If the items listed below are under the control of another department or agency, please forward this letter accordingly.

INFORMATION REQUESTED

Please provide the following information as it pertains to the following:

- A) All correspondence, including the Agreement itself and all documents involved in creating and enforcing the Agreement, known as the Engineering and Procurement Agreement for Interconnection Request No. G0301, No. 08TX-13748.
- B) All documents regarding payment and advances of funds under Engineering and Procurement Agreement for Interconnection Request No. G0301, No. 08TX-13748.
- C) All correspondence, including the Agreement itself and all documents involved in creating and enforcing the Agreement, known as the Environmental Study Agreement, No. 10TX-15011.
- D) All documents regarding payment and advances of funds under Environmental Study Agreement, No. 10TX-15011.
- E) All correspondence, including the Agreement itself and all documents involved in creating and enforcing the Agreement, known as the Service Agreement for Point-to-Point Transmission Service, No. 08TX-13707.
- F) All documents regarding payment and advances of funds under Service Agreement for Point-to-Point Transmission Service, No. 08TX-13707.
- G) Any Construction Agreement, Balancing Authority Area Services Agreement, and Operations and Ownership Agreement, entered into by and between Columbia Energy Partners, LLC, CEP Funding, LLC, and Bonneville Power Administration.
- H) All correspondence and documents regarding remittance of deposits made under Engineering and Procurement Agreement for Interconnection Request No. G0301, No. 08TX-13748, Environmental Study Agreement, No. 10TX-15011, Service Agreement for Point-to-Point Transmission Service, No. 08TX, and any other agreement(s) by and between Columbia Energy Partners, LLC, CEP Funding, LLC, and Bonneville Power Administration.

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- I) Any and all other agreements and correspondence not subject to privilege¹ between Columbia Energy Partners, LLC, CEP Funding, LLC, and Bonneville Power Administration.

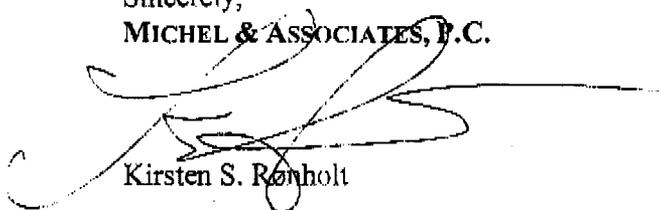
TIME TO RESPOND & COST REIMBURSEMENT

Per 5 U.S.C. §552(a)(6)(A)(I), within 20 business days of receipt of this request, please notify us of your compliance, and in which form we should expect to receive such documents. The fee category of this request falls within the parameters of "All Other Requesters," and we will pay costs up to one-hundred (\$100.00) dollars on this request. If your costs will exceed this amount, please advise us of the cost estimate so we may determine how best to proceed.

Please contact me if you have any questions, or if there is anything I can do to help facilitate this request. Thank you for your anticipated cooperation.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 29, 2013.

Sincerely,
MICHEL & ASSOCIATES, P.C.



Kirsten S. Renholt

KSR/s

¹ While it is reasonably expected that some material may be deemed by your office as privileged from disclosure, the mere fact that a public record may contain some confidential information does not justify withholding the entire document. The FOIA also provides that any agency may rely on an exemption only as to segregable portions of records, so that a responding agency must produce any "reasonably segregable portion of a record" that does not fall within an exemption. See 5 U.S.C. § 552(b). Should Bonneville Power Administration choose to withhold any responsive material, it has the burden of showing that no segregable information exists. See, e.g., *Army Times Publishing Co. v. Dep't of Air Force*, 998 F.2d 1067, 1071 (D.C. Cir.1993). Where responsive nonexempt materials can be reasonably separated from the exempt materials, such materials should be produced in response to this Request.



MICHEL & ASSOCIATES, P.C.

 Attorneys at Law

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FAX TRANSMITTAL SHEET

TO: Christina J. Munro
FIRM: Bonneville Power Administration
FAX NO.: (503) 230-4019
TEL. NO.
FROM: Kirsten S. Ronholt
DATE: June 28, 2013
RE: FOIA Request # 1810

THIS FAX CONTAINS COVER PAGE PLUS 3 PAGES. IF YOU DO NOT RECEIVE ALL PAGES
 PLEASE CONTACT Christina Sanchez AT (562) 216-4444.

SPECIAL INSTRUCTIONS

THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS
 ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM
 DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT,
 OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT,
 YOU ARE HEREBY NOTIFIED THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS
 COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR,
 PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE
 ADDRESS BELOW VIA THE U.S. POSTAL SERVICE. THANK YOU.