



Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

July 9, 2014

In reply refer to: D-B1

Friends of the Columbia Gorge
Richard Till
522 SW Fifth Ave, Suite 720
Portland, OR 97204

FOIA # BPA-2014-01346-F

Mr. Till:

We have received your request for records under the Freedom of Information Act (5 U.S.C. § 552). Thank you for your interest in the Bonneville Power Administration (BPA). Your email was received in this office on July 1, 2014, and has been assigned control number BPA-2014-01346-F. Please use this number in any correspondence with the agency about your request.

You have requested:

"copies of all public records related to the BPA's review of the Whistling Ridge Energy Project ("WREP" or "Project")...(from) March 5, 2012 through July 1, 2014

The request includes, but is not limited to, the following categories of records:

- Any materials submitted by Whistling Ridge Energy LLC ("WRE") regarding its pending generation interconnection request;
- Any Transmission Service Requests or similar documents submitted to BPA regarding the WREP;
- Any communications between the BPA and the following persons and entities regarding the WREP:
 - o Washington Energy Facility Site Evaluation Council ("EFSEC");
 - o state agencies or officials (including elected officials);
 - o federal agencies or officials (including elected officials);
 - o any consultants and/or contractors involved in the preparation and/or review of the DEIS and/or application for site certificate;
 - o Whistling Ridge Energy LLC ("WRE"), including all related entities such as the SDS Lumber Company, Broughton Lumber Company, and Stevenson Land Company, as well as WRE's attorneys and other representatives; and
 - o WRE's consultants, including but not limited to URS Corp. and West Inc.

- Any meeting notes, agendas, or other related records generated from meetings between BPA, EFSEC, WRE, and consultants”

We have reviewed your letter and determined that it addresses all of the criteria of a proper request under the FOIA and the Department of Energy’s FOIA regulations at Title 10, Code of Federal Regulations, Part 1004.

Complex requests

FOIA requires that we act on requests “promptly,” and that we make a determination on your request and respond within 20 working days (5 U.S.C. § 552(a)(6)). The Bonneville Power Administration has instituted multi-track processing, as permitted by FOIA (5 U.S.C. § 552(a)(6)(D)(i)). Simple requests and complex requests are placed in two different queues, and each queue is processed on its own first-in, first-out basis. Requests are placed in the complex queue if they will require significant agency time or resources to process. Your request has been placed in the complex queue because it will require consultation with several outside agencies to make determinations on information that may be subject to protection under a FOIA Exemption.

Unusual/exceptional circumstances

Under FOIA, an agency may extend the normal 20-day deadline by an additional 10 business days if “unusual circumstances” exist (5 U.S.C. § 552(a)(6)(B)(i)). Unusual circumstances include the need to search records located in field facilities, requests for a voluminous amount of records, and requests that require consultation with other agencies or agency components, including Department of Energy headquarters. If an agency cannot fulfill the request within the 30 working days provided by the extended deadline, agencies must (a) notify the requester, and (b) work with the requester to modify or limit the scope of the request or arrange an alternative time frame for processing (5 U.S.C. § 552(a)(6)(B)(ii)).

Your request involves unusual circumstances because of the consultation necessary with the number of different agencies that must be coordinated with in gathering, reviewing and redacting responsive documents. We currently estimate that we can complete your request by October 31, 2014. Because this date is outside of the permissible 30-day extended deadline, we will contact you shortly to discuss the possibility of modifying or limiting your request to permit faster processing.

I appreciate the opportunity to assist you. If you have any questions about this letter, please contact Benjamin Yost, FOIA Case Officer (BPA Contractor, ACS), at 503-230-5247.

Sincerely,

/s/Christina J. Munro

Christina J. Munro
Freedom of Information/Privacy Act Officer



Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

October 24, 2014

In reply refer to: FOIA# BPA-2014-01346-F

Richard Till
Friends of the Columbia Gorge
522 SW Fifth Ave, Suite 720
Portland, OR 97204

Mr. Till:

This letter is in reference to your Freedom of Information Act request received in our office on July 1, 2014, which we acknowledged on July 8, 2014.

You have requested:

Copies of all public records related to the BPA's review of the Whistling Ridge Energy Project ("WREP" or "Project") from March 5, 2012 through July 1, 2014.

The request includes, but is not limited to, the following categories of records:

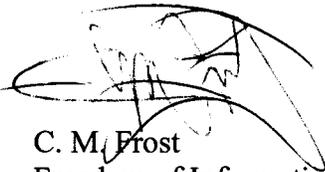
- Any materials submitted by Whistling Ridge Energy LLC ("WRE") regarding its pending generation interconnection request;
- Any Transmission Service Requests or similar documents submitted to BPA regarding the WREP;
- Any communications between the BPA and the following persons and entities regarding the WREP:
 - Washington Energy Facility Site Evaluation Council ("EFSEC");
 - state agencies or officials (including elected officials);
 - federal agencies or officials (including elected officials);
 - any consultants and/or contractors involved in the preparation and/or review of the DEIS and/or application for site certificate;
 - Whistling Ridge Energy LLC ("WRE"), including all related entities such as the SDS Lumber Company, Broughton Lumber Company, and Stevenson Land Company, as well as WRE's attorneys and other representatives; and
 - WRE's consultants, including but not limited to URS Corp. and West Inc.
- Any meeting notes, agendas, or other related records generated from meetings between BPA, EFSEC, WRE, and consultants.

On October 23, 2014, you had a telephone discussion with our office in an attempt to narrow the scope of your request at which time it was agreed that this would not be possible.

We will be unable to complete your request by October 31, 2014 as previously intended due to the complexity of your request, the volume of documents, and the need to consult with other agencies for our review. Our new target date to respond to your request is April 30, 2015.

I appreciate the opportunity to assist you. If you have any questions about this letter, please contact Colleen Cushnie, FOIA Case Officer (BPA Contractor, ACS), at (503) 230-5986 or email at cacushnie@bpa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. M. Frost', is written over a horizontal line. The signature is stylized and somewhat illegible due to the cursive nature of the handwriting.

C. M. Frost
Freedom of Information/Privacy Act Officer