



Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

July 31, 2014

In reply refer to: FOIA #BPA-2014-01429-F

Butler Manufacturing
Attn: Lisa Dilorio
729 Miner Rd
Highland Heights, OH 44143

Ms. Dilorio:

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 letter was received in this office on July 16, 2014, and has been assigned control number BPA-2014-01429-F. Please use this number in any correspondence with the agency about your request.

You requested:

“This is in regards to pre-engineered steel bldgs. that were provided for the Charles Luce Regional Maintenance Headquarters project around 6/10/14 through 7/11/14. Skanska USA Building is the general contractor. I am looking for a copy of Skanska's payment bond for this project.”

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.

You have agreed to pay \$10 in fees.

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.

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. 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)).

In this instance, BPA will need to obtain approval from Skanska USA to release any privileged information. Under FOIA Exemption 4 federal agencies can withhold "trade secrets and commercial or financial information obtained from a person that is privileged and confidential (5 U.S.C. § 552(b)(4))." Therefore, we currently estimate the completion of your request by September 30, 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 Kim Winn, FOIA Public Liaison, at 503-230-5273.

Sincerely,



Christy Munro
Freedom of Information/Privacy Act Officer