

Wilson,Risa L (CONTR) - D-B1

From: Winn, Kim S (BPA) - D-1
Sent: Wednesday, July 16, 2014 7:12 AM
To: Wilson, Risa L (CONTR) - D-B1
Subject: FW: FOIA #BPA-2014-01241-F
Attachments: BPA-2014-01241-FRequest.pdf

Risa, Please enter this as a new request. Use the language in the initial request but add this clarifying statement: "data set comprised of the average daily price for each day of the ten-year period (3,650 prices)." Attach this email to it too.

Thank you.

-----Original Message-----

From: Winn, Kim S (BPA) - D-1
Sent: Wednesday, July 16, 2014 7:09 AM
To: 'Kevin Lewis'
Cc: rick@idahorivers.org
Subject: RE: FOIA #BPA-2014-01241-F

My boss wants to use your email below as a "re-submit" and start over. I'll be issuing a new tracking number. Will keep you posted.

-----Original Message-----

From: Kevin Lewis [<mailto:kevin@idahorivers.org>]
Sent: Tuesday, July 15, 2014 10:53 PM
To: Winn, Kim S (BPA) - D-1
Cc: rick@idahorivers.org
Subject: RE: FOIA #BPA-2014-01241-F

Kim,
Thanks! I'll be out of contact for a few days so could you please cc future emails to rick@idahorivers.org

--
Thanks!
Kevin Lewis
Conservation Director
Idaho Rivers United
Office: 208.343.7481
Cell: 208.830.4870

> Apologies - I certainly misunderstood. This sounds like a pretty
> massive undertaking. I guess I can amend the previous request and
> re-open it without you're having to re-submit. I'll get back to you later today.
>
> **From:** Kevin Lewis [<mailto:kevin@idahorivers.org>]
> **Sent:** Friday, July 11, 2014 2:00 PM
> **To:** Winn, Kim S (BPA) - D-1
> **Subject:** RE: FOIA #BPA-2014-01241-F
>

RECEIVED BY BPA FOIA OFFICE THIS
DATE: 7-16-14
DUE DATE: 8-13-14
LOG # BPA-2014-01441-F

> Kim,
> Thank you for your prompt response to my FOIA request. Unfortunately,
> the response was not what I was expecting. In re-reading my request I
> can now see where it could be confusing. I was expecting to receive a
> dataset of approximately 87,600 prices (24*365*10) as opposed to a
> single value for the ten-year period. So, How to resolve this? Do I
> need to re-word and submit a new FOIA? Or, as a compromise and to save
> time, I'm willing to accept a more limited data set comprised of the
> average daily price for each day of the ten-year period (3,650 prices).
>
> Thanks!
> Kevin
>
> If you love a river...
> ---
> Kevin Lewis
> Conservation Director
> Idaho Rivers United
> www.idahorivers.org<<http://www.idahorivers.org>>
>
> Office (208) 343-7481
> Fax (208) 343-9376
> Cell (208) 830-4870
>
> From: Winn, Kim S (BPA) - D-1 [<mailto:kswinn@bpa.gov>]
> Sent: Friday, June 20, 2014 3:42 PM
> To: Kevin Lewis
> Subject: RE: FOIA Acknowledgment
>
> Hardcopy to follow. Have a good weekend.
>
> From: Kevin Lewis [<mailto:kevin@idahorivers.org>]
> Sent: Wednesday, June 11, 2014 10:12 AM
> To: Winn, Kim S (BPA) - D-1
> Subject: FOIA Acknowledgment
>
> Kim,
> On 4/28/2014 I mailed the attached FOIA request to the FOIA Officer in
> your Portland office. Allowing time for postage, this request should
> have been received prior to or on the 1st of May. To date, I have not
> received an acknowledgment of my request. Is there a way to check to
> ensure that the request was received and if my request is being processed?
>
> Thanks!
> Kevin
>
> If you love a river...
> ---
> Kevin Lewis
> Conservation Director
> Idaho Rivers United
> www.idahorivers.org<<http://www.idahorivers.org>>

- >
- > Office (208) 343-7481
- > Fax (208) 343-9376
- > Cell (208) 830-4870
- >
- >

April 26, 2014

Christina J. Munro, FOIA Officer
Mail Stop DK-7
Bonneville Power Administration
P.O. Box 3621
Portland, OR 97208

Rec'd: 6/11/2014 Due Date: 7/10/2014 Tracking Number: BPA-2014-01241-F

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, ("FOIA") as amended, I am writing on behalf of Idaho Rivers United (IRU) to request the following information from the Bonneville Power Administration (BPA):

The hourly average MID-Columbia Day Ahead Market Clearing Price, for the ten year period beginning on January 1, 2004 and ending on December 31, 2013.

Withheld information, if any, must be identified specifically and the basis for withholding explained.

To reduce administrative expense, please provide the requested information in electronic format – preferably Microsoft Excel and either on a compact disk or as an email attachment sent to the address at the bottom of this request.

Please do not hesitate to call or email should you need clarification of this request.

I trust that your response to this request will accord with the presumption in FOIA requests, articulated by the President, that "In the face of doubt, openness prevails." Accordingly, I trust that the BPA will "act promptly and in a spirit of cooperation," and apply a "presumption in favor of disclosure." See Memorandum for the Heads of Executive Departments and Agencies, *available at* http://www.whitehouse.gov/the_press_office/FreedomofInformationAct/ (Jan. 21, 2009).

Fee Waiver

The Freedom of Information Act and BPA's implementing regulations permit the waiver of search and copy fees where the release of the information is in the public interest. See 5 U.S.C. § 552(a)(4)(A)(iii); 32 C.F.R. § 518.19(d). This request satisfies these criteria. I provide the following information relating to the public benefits associated with this request and the

entitlement of Idaho Rivers United to a fee waiver in this matter.

Preservation and recovery of the Northwest's salmon and steelhead, particularly those in the Columbia and Snake Rivers, has been the subject of intense public interest and scrutiny even before many of these stocks were listed as threatened or endangered pursuant to the Endangered Species Act. As thousands of public comments, public meetings, Congressional hearings, and media attention demonstrate, protection and recovery of Northwest salmon and steelhead has spawned intense interest among many segments of the public, including environmentalists, commercial fishermen, state and federal legislators, and water resource users.

Groups, on all sides of the public discourse, are concerned that the federal government take the necessary steps to protect and recover listed salmon and steelhead stocks, and to protect wild and scenic rivers and other resources in the region affected by the Snake River waterway and the regional transportation system. The requested information is essential to the public's understanding and assessment of the implementation of those goals in the region. Information from this request will help the public to better understand the value of power that is marketed by the BPA.

IRU will use the requested information to educate and inform our members, supporters and the general public. IRU is uniquely qualified to review the requested information and synthesize it for consumption by the general public. Through advocacy on salmon and other natural resource issues in the administrative and judicial processes, we have extensive experience with respect to the implementation of the Endangered Species Act, National Environmental Policy Act, and the Clean Water Act. In addition, IRU will be able to evaluate the information either because of the expertise of staff members or through its close ties to leading experts in relevant fields, who may also review the requested information.

IRU also has extensive programs to educate its members and the general public on these issues, including: community outreach; conducting conferences and symposia; preparing reports and comments to local, state, tribal, and federal legislative and administrative bodies; and disseminating news releases, giving interviews and press conferences to the media. IRU uses its media contacts as an opportunity to publicly disseminate information on governmental activities gleaned from the review of FOIA documents and to ensure full and balanced coverage of environmental issues by the news media.

IRU will not benefit financially from the requested information. IRU is a § 501(c)(3) tax-exempt non-profit organization. Further, IRU will not use the requested documents to obtain any financial gain. A fee waiver is clearly appropriate under these circumstances, and I request such a waiver.

FOIA Compliance Officer
April 26, 2014
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As provided in the Freedom of Information Act, 5 U.S.C. § 552(a)(6)(A), I look forward to a response within twenty working days. Thank you for your assistance. If you have any questions regarding this request, please do not hesitate to call or email.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Lewis", is written over a horizontal line.

Kevin Lewis, Conservation Director
Idaho Rivers United
P.O. Box 633
Boise, ID 83701

(208) 343-7481
kevin@idahorivers.org