



Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

July 24, 2014

In reply refer to: D-B1

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

FOIA #BPA-2014-01441-F

Dear Mr. Lewis:

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 request was received in this office on Tuesday, July 15, 2014, and has been assigned control number BPA-2014-01441-F. Please use this number in any correspondence with the agency about your request.

You requested:

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.

In an email with Kim Winn, FOIA Public Liaison, you clarified the request stating that you were looking for a "dataset of approximately 87,600 prices." However, to limit the burden of your request you stated that you were willing to accept a "dataset comprised of the average daily price for each day of the ten year period (3,650 prices)."

We have reviewed your request 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.

Your request for a waiver of fees is granted.

Response:

The hourly average MID-Columbia Day Ahead Market Clearing Price is purchased by BPA from Platts. As the information you requested does not belong to BPA, BPA is withholding the data in its entirety pursuant to Exemption 4 of the FOIA.

Exemption 4 protects "trade secrets and commercial or financial information obtained from a person and privileged and confidential" (5 U.S.C. § 552(b)(4)). The existence of Exemption 4 encourages businesses and other entities to voluntarily furnish useful commercial or financial information, and provides protection from competitive harm to submitters who are required to furnish information to the

government. The information can be withheld under Exemption 4 when disclosure of the information would (1) impair the government's ability to obtain necessary information in the future or (2) cause substantial harm to the competitive position of the submitter.

Here, selling this information is the business of Platts. Platts provides fundamental market data and analysis, and thousands of daily price assessments under a subscription agreement with BPA. We have determined that Platts would likely incur competitive harm if BPA were to release the information requested. Therefore, we find that the information requested is proprietary, and we withhold this information under Exemption 4 in its entirety.

This is our final response to your July 15, 2014, request. Pursuant to Department of Energy FOIA regulations at 10 C.F.R. § 1004.8, you may administratively appeal this response in writing within 30 calendar days. If you choose to appeal, please include the following:

- (1) The nature of your appeal: denial of records, partial denial of records, adequacy of search, or denial of fee waiver;
- (2) Any legal authorities relied upon to support the appeal; and
- (3) A copy of the determination letter.

Clearly mark both your letter and envelope with the words "FOIA Appeal," and direct it to the following address:

Director, Office of Hearings and Appeals
Department of Energy
1000 Independence Avenue SW
Washington DC 20585-1615

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