



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-2014-01482-F

David Jenkins
Ex 6

Mr. Jenkins:

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 Thursday, July 24, 2014, and has been assigned control number BPA-2014-01482-F. Please use this number in any correspondence with the agency about your request.

You requested:

"The purpose of my writing you is to request the exact physical locations of all power stations that were operational prior to 1977 in Central Oregon that BPA may have directly or indirectly supplied power to prior to this year. This area includes the areas of Madras, Terrebonne, Culver, Redmond, Bend, Tumalo, Powell Butte, Prineville and LaPine."

Upon review, your request did not meet the criteria of a proper FOIA request. To be a proper request under the statute your request must include a statement that (1) you agree to pay any fees that may be incurred to process the request, (2) stipulates an amount you are willing to pay, or (3) requests specific waiver or reduction of fees.

If you request a waiver or reduction of fees, we will consider the criteria for fee waivers as established by the Department of Energy at 10 C.F.R. § 1004.9(a)(8). Fee waivers are generally issued when (a) disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding government operations, and (b) disclosure is not primarily in the commercial interest of the requester.

Factors used by BPA in fee waiver determinations include:

- (1) The subject of the request: Whether the subject of the requested records concerns "the operations or activities of the government;"

- (2) The informative value of the information to be disclosed: Whether the disclosure is “likely to contribute” to an understanding of government operations or activities;
- (3) The contribution to an understanding by the general public of the subject likely to result from disclosure, taking into account your ability and intent to disseminate the information to the public in a form that can further the understanding of the subject matter;
- (4) The significance of the contribution to public understanding: Whether the disclosure is likely to contribute “significantly” to public understanding of government operations or activities;
- (5) The existence and magnitude of a commercial interest: Whether you have a commercial interest that would be furthered by the requested disclosure; and, if so
- (6) The primary interest in disclosure: Whether the magnitude of your identified commercial interest is sufficiently large, in comparison with the public interest in disclosure, that disclosure is “primarily in [your] commercial interest.”

If you would like your request for a waiver to be considered, please provide additional information that addresses these factors. You should provide this information to Kim Winn, FOIA Public Liaison, by **Friday, August 8, 2014**. If we do not hear from you by this date, we will consider your request withdrawn.

In addition, if you would like the Department to begin processing of your request while a determination is being made, please provide an assurance to pay fees in the event your request for a waiver is denied.

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

