



Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

December 5, 2014

In reply refer to: FOIA #BPA-2014-01761-F

Jennifer Middleton
2933 Central Blvd.
Eugene, OR 97403

Due to the size of the responsive documents they cannot be posted. To obtain a copy please contact the BPA FOIA Office at 503-230-5273.

Ms. Middleton:

This is a final response to your request for records under the Freedom of Information Act, 5 U.S.C. § 552. Your request was received in this office on August 25, 2014 with an acknowledgement letter sent to you on September 3, 2014. Partial responses were sent on September 22, 2014, October 22, 2014, and November 13, 2014.

You requested:

- "(1) All leases, rental agreements, sale agreements, contracts, deeds, and other documents setting forth financial transactions or agreements between BPA and any other entity over the last ten years (August 2004 to the present) referring or relating to the land described as the Biddle Butte Microwave Radio Station Site and/or BBT-AR- 1, Parcels I and 2 (more specifically, the 0.69 acres conveyed to the United States of America and its assigns by Warranty Deed dated November 18, 1952, by Spencer Biddle and Erskine Biddle Wood), or any part thereof, including any communications towers erected thereon.
- (2) Records demonstrating all income derived from any rental, lease, or sale of the above described property to any entity or individual over the past ten years.
- (3) All records describing or demonstrating use by BPA of the above premises as a communication station by the Government over the past ten years."

In a phone conversation with Kim Winn on September 11, 2014, you stated that you were interested in learning the use of the property and you agreed that a list of the companies that have lease agreements in place would indicate, in part, that use. You also stated that you wanted to know the monetary value of the lease agreements attached to that property. To that end, you requested an annual total earned for leases on the property for a period of ten years. Additionally, in an email dated September 12, 2014, you further clarified that the warranty deed and easement agreement were not needed.

Final response:

BPA is providing the lease agreements with Cingular/AT&T and T-Mobile in their entirety on the enclosed CD.

You agreed to pay \$200 in fees. You will be billed separately for that amount.

If you have any questions about this letter, please contact Kim Winn, FOIA Public Liaison, at 503-230-5273 or kswinnbpa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "C.M. Frost", with a large, sweeping flourish extending to the right.

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

Enclosure:

CD



Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

November 14, 2014

In reply refer to: FOIA #BPA-2014-01761-F

Jennifer Middleton
2933 Central Blvd.
Eugene, OR 97403

Ms. Middleton:

This is a partial response to your request for records under the Freedom of Information Act, 5 U.S.C. § 552. Your request was received in this office on August 25, 2014 with an acknowledgement letter sent to you on September 3, 2014. Partial responses were sent on September 22, 2014, and October 22, 2014.

You requested:

- "(1) All leases, rental agreements, sale agreements, contracts, deeds, and other documents setting forth financial transactions or agreements between BPA and any other entity over the last ten years (August 2004 to the present) referring or relating to the land described as the Biddle Butte Microwave Radio Station Site and/or BBT-AR- 1, Parcels I and 2 (more specifically, the 0.69 acres conveyed to the United States of America and its assigns by Warranty Deed dated November 18, 1952, by Spencer Biddle and Erskine Biddle Wood), or any part thereof, including any communications towers erected thereon.
- (2) Records demonstrating all income derived from any rental, lease, or sale of the above described property to any entity or individual over the past ten years.
- (3) All records describing or demonstrating use by BPA of the above premises as a communication station by the Government over the past ten years."

In a phone conversation with Kim Winn on September 11, 2014, you stated that you were interested in learning the use of the property and you agreed that a list of the companies that have lease agreements in place would indicate, in part, that use. You also stated that you wanted to know the monetary value of the lease agreements attached to that property. To that end, you requested an annual total earned for leases on the property for a period of ten years. Additionally, in an email dated September 12, 2014, you further clarified that the warranty deed and easement agreement were not needed.

Partial response:

Enclosed BPA is providing the lease agreements with MCI and Sprint in their entirety.

We are still processing the lease agreements with T-Mobile and AT&T, and will keep you informed of our progress.

If you have any questions about this letter, please contact Kim Winn, FOIA Public Liaison, at 503-230-5273 or kswinnbpa.gov.

Sincerely,



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

Enclosures:
Responsive documents



Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

October 22, 2014

In reply refer to: FOIA #BPA-2014-01761-F

Jennifer Middleton
2933 Central Blvd.
Eugene, OR 97403

Ms. Middleton:

This is a partial response to your request for records under the Freedom of Information Act, 5 U.S.C. § 552. Your request was received in this office on August 25, 2014 with an acknowledgement letter sent to you on September 3, 2014. A partial response was sent on September 22, 2014.

You requested:

- "(1) All leases, rental agreements, sale agreements, contracts, deeds, and other documents setting forth financial transactions or agreements between BPA and any other entity over the last ten years (August 2004 to the present) referring or relating to the land described as the Biddle Butte Microwave Radio Station Site and/or BBT-AR- 1, Parcels I and 2 (more specifically, the 0.69 acres conveyed to the United States of America and its assigns by Warranty Deed dated November 18, 1952, by Spencer Biddle and Erskine Biddle Wood), or any part thereof, including any communications towers erected thereon.
- (2) Records demonstrating all income derived from any rental, lease, or sale of the above described property to any entity or individual over the past ten years.
- (3) All records describing or demonstrating use by BPA of the above premises as a communication station by the Government over the past ten years."

In a phone conversation with Kim Winn on September 11, 2014, you stated that you were interested in learning the use of the property and you agreed that a list of the companies that have lease agreements in place would indicate, in part, that use. You also stated that you wanted to know the monetary value of the lease agreements attached to that property. To that end, you requested an annual total earned for leases on the property for a period of ten years. Additionally, in an email dated September 12, 2014, you further clarified that the warranty deed and easement agreement were not needed.

Partial response:

Enclosed BPA is providing the lease agreements with the City of Portland, Oregon, the agreement with the Federal Aviation Administration, and the agreement with the U.S. Department of Agriculture, U.S. Forest Service, in their entirety.

We are still processing the lease agreements with Sprint, T-Mobile, AT&T, and MCI, and will keep you informed of our progress.

If you have any questions about this letter, please contact Kim Winn, FOIA Public Liaison, at 503-230-5273 or kswinnbpa.gov.

Sincerely,



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

Enclosure:
CD



Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

September 22, 2014

In reply refer to: FOIA #BPA-2014-01761-F

Jennifer Middleton
2933 Central Blvd.
Eugene, OR 97403

Ms. Middleton:

This is a partial response to your request for records under the Freedom of Information Act, 5 U.S.C. § 552. Your request was received in this office on August 25, 2014 with an acknowledgement letter sent to you on September 3, 2014 providing an estimated completion date of November 30, 2014.

You requested:

- “(1) All leases, rental agreements, sale agreements, contracts, deeds, and other documents setting forth financial transactions or agreements between BPA and any other entity over the last ten years (August 2004 to the present) referring or relating to the land described as the Biddle Butte Microwave Radio Station Site and/or BBT-AR- 1, Parcels 1 and 2 (more specifically, the 0.69 acres conveyed to the United States of America and its assigns by Warranty Deed dated November 18, 1952, by Spencer Biddle and Erskine Biddle Wood), or any part thereof, including any communications towers erected thereon.
- (2) Records demonstrating all income derived from any rental, lease, or sale of the above described property to any entity or individual over the past ten years.
- (3) All records describing or demonstrating use by BPA of the above premises as a communication station by the Government over the past ten years.”

In a phone conversation with Kim Winn on September 11, 2014, you stated that you were interested in learning the use of the property and you agreed that a list of the companies that have lease agreements in place would indicate, in part, that use. You also stated that you wanted to know the monetary value of the lease agreements attached to that property. To that end, you requested an annual total earned for leases on the property for a period of ten years. Additionally, in an email dated September 12, 2014, you further clarified that the warranty deed and easement agreement were not needed.

Partial response:

BPA has a record of leases on the Biddle Butte Microwave Radio Station with the following entities:

- Multnomah County
- City of Portland
- Clark Regional Emergency Services Agency
- Federal Aviation Administration (FAA)
- United States Department of Agriculture (USDA)

- T-Mobile
- Cingular
- Nextel-Sprint
- Western Oregon Wireless-Sprint
- MCI Telecommunications Inc.
- Union Pacific Railroad

A single page document was found in the property records that is responsive. The document is a partial list of leases on the above described property. One listing is for the "USFS-MT.HOODFORE" that identifies the United States Forest Service, which is under the United States Department of Agriculture. This document is enclosed and released in its entirety.

The records gathered in response to your request include the lease agreements and financial transactions about the lease. These records are undergoing review by the entities involved.

In the case of the two government entities, FAA and USDA, we are required by statute to consult with them regarding the documents either involving them and/or created by them.

The leases involving commercial and municipal entities require a more in depth analysis for competitive harm and proprietary information under Exemption 4 of the FOIA, 5 U.S.C. § 552(b)(4). We are attempting to locate the appropriate corporate contacts for each lease; due to the age of some of them it will require research. For example, parts of MCI were acquired by Verizon, but Verizon may not have picked up the property lease. We will keep you informed of our progress in what can be a lengthy process.

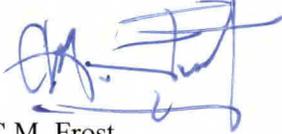
The Multnomah County, Clark Regional Emergency Services Agency, and the Union Pacific Railroad leases, as well as, the information relating to payments made against those leases are being released in their entirety.

The BPA Accounting Department and Realty records have provided the following information for an annual estimated total earned for leases on the property for a period of ten years.

Year	Total
2004	\$35,513
2005	\$38,184
2006	\$16,292
2007	\$62,135
2008	\$16,292
2009	\$64,277
2010	\$16,575
2011	\$41,032
2012	\$61,017
2013	\$ 8,495
2014	\$ 8,495

We will continue to work on the Exemption 4 and consult process on the lease agreements, and keep you informed of our progress. If you have any questions about this letter, please contact Kim Winn, FOIA Public Liaison, at 503-230-5273 or kswinnbpa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to be 'C.M. Frost', written over a rectangular stamp area.

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

Enclosure:
CD