



Department of Energy

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

FREEDOM OF INFORMATION ACT PROGRAM

April 30, 2015

In reply refer to: FOIA BPA 2015-01211-F

Chuck Johnson
Oregon Physicians for Social Responsibility
812 SW Washington Street, Suite 1050
Portland, OR 97202

Mr. Johnson:

We received your request for records under the Freedom of Information Act (FOIA)(5 U.S.C. § 552). Thank you for your interest in the Bonneville Power Administration (BPA). Your request was received in this office on April 27, 2015, and has been assigned control number FOIA-BPA-2015-01211-F. Please use this number in any correspondence with the agency about your request.

You requested:

“All documents and emails regarding Energy Northwest's Low-Cost Fuel Purchases document at <http://www.energy-northwest.com/ourenergyprojects/Columbia/Pages/Fuel-Purchases.aspx>. This is to include documents supporting or relating to Energy Northwest's claim, “According to the Bonneville Power Administration, the fuel agreement is now showing a more than \$40 million savings to the fiscal 2014 - 2015 rate case, and will save customers tens of millions more through 2028.””

We reviewed your letter and have determined that it addresses all of the criteria of a proper request under the FOIA and the Department of Energy’s (DOE) FOIA regulations at Title 10, Code of Federal Regulations, Part 1004.

Your request for a fee waiver is granted.

Complex requests:

The 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)). However, BPA has instituted multi-track processing, as permitted by FOIA (5 U.S.C. § 552(a)(6)(D)(i)). In accord with this process, 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 require significant agency time or resources to process. We have determined that a

response to your request may require significant agency time or resources to process. We have therefore designated your request as complex.

Unusual/exceptional circumstances:

Under the FOIA, an agency may extend the response time 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 potentially require consultation with other agencies or agency components. We have determined that a response to your request may include a voluminous amount of records and may require consultations. We have therefore determined that your request involves unusual circumstances.

In light of the above conditions and determinations, we currently estimate the completion of your request by July 31, 2015.

We appreciate the opportunity to assist you. If you have questions about this communication, please contact James King, FOIA Case Officer (BPA Contractor, CorSource), at 503-230-7621.

Sincerely,



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



Department of Energy

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

FREEDOM OF INFORMATION ACT PROGRAM

June 22, 2015

In reply refer to: FOIA BPA 2014-01211-F

Mr. Chuck Johnson
Oregon/Washington Joint Nuclear Power Task Force Director
Physicians for Social Responsibility
812 SW Washington Street, Suite 1050
Portland, OR 97202

Mr. Johnson:

This communication concerns your request for Bonneville Power Administration (BPA) records, in accord with the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Your FOIA request was received at BPA on April 27, 2015 with an acknowledgement letter sent to you on April 30, 2014. Further, BPA communicated with McCullough Research on May 12, 2015 to confirm the partial overlap of records responsive to your newer request 2015-01211-F and your previous request 2014-00614-F. Because there is partial overlap of responsive records, both your requests (2015-01211-F and 2014-00614-F) are being tracked and responded to simultaneously.

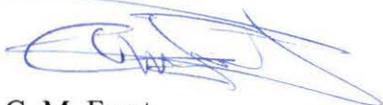
You requested:

“All documents and emails regarding Energy Northwest's Low-Cost Fuel Purchases document at <http://www.energy-northwest.com/ourenergyprojects/Columbia/Pages/Fuel-Purchases.aspx> . This is to include documents supporting or relating to Energy Northwest's claim, ‘According to the Bonneville Power Administration, the fuel agreement is now showing a more than \$40 million savings to the fiscal 2014 - 2015 rate case, and will save customers tens of millions more through 2028.’”

The BPA records gathered in response to your request will require detailed content review for potential statutorily required exemptions. Also, under the FOIA, BPA is required to consult with the United States Enrichment Corporation, Tennessee Valley Authority, Energy Northwest, the Department of Energy, and others, prior to releasing the records. These review efforts are all ongoing. Because of the level of complexity of the FOIA process involved with your request, we are extending the target date for a response to December 31, 2015.

We appreciate the opportunity to assist you. If you have questions about this communication, please contact James King (CorSource Technology Group, Inc.), assigned to BPA, at 503-230-7621.

Sincerely,



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



Department of Energy

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

Freedom of Information Act Program

August 17, 2015

In reply refer to: FOIA BPA 2015-01211-F

Charles K. Johnson
Director, Joint Task Force on Nuclear Power
Oregon and Washington Physicians for Social Responsibility
1020 SW Taylor Street, Suite 275
Portland, OR 97205

Dear Mr. Johnson:

This communication concerns your above referenced request for Bonneville Power Administration (BPA) records in accord with the Freedom of Information Act, 5 U.S.C. § 552 (FOIA).

To recapitulate, your FOIA request was received at BPA on April 27, 2015, with an acknowledgement letter sent to you on April 30, 2015.

The Request

"All documents and emails regarding Energy Northwest's Low-Cost Fuel Purchases document at <http://www.energy-northwest.com/ourenergyprojects/Columbia/Pages/Fuel-Purchases.aspx>. This is to include documents supporting or relating to Energy Northwest's claim, "According to the Bonneville Power Administration, the fuel agreement is now showing a more than \$40 million savings to the fiscal 2014 - 2015 rate case, and will save customers tens of millions more through 2028."

Transfer of Request from BPA to the Department of Energy

As we communicated to you in our letter dated June 22, 2015, the BPA records gathered in response to your request are voluminous and require detailed content review for potential statutorily required exemptions. Also, under the FOIA, BPA is required to consult with the United States Enrichment Corporation, Tennessee Valley Authority, Energy Northwest, the Department of Energy (DOE), and others, prior to releasing any responsive records. During the course of those actions, BPA concluded that because of the potentially restricted nature of the information contained in the responsive records, BPA was obligated to tender your FOIA request, and the responsive records, to DOE for a formal response and for the application of possible exemptions under 5 U.S.C. § 552(b)(3) and 5 U.S.C. § 552(b)(4) and 5 U.S.C. § 552(b)(5). Consequently, and in accord with the forgoing information and conditions, BPA has administratively closed your request for records. Your request for records was transferred to DOE on July 31, 2015. Further responses to your request will be forthcoming from DOE, and

may include a new FOIA reference and tracking number. Your point of contact and response at DOE is now:

Alexander C. Morris, FOIA Officer
U.S. Department of Energy
FOIA Requester Service Center
1000 Independence Avenue, SW
Mail Stop MA-90
Washington, DC 20585

If you have questions about this closure and transfer, please contact James King (CorSource Technology Group, Inc.), assigned to BPA, at 503-230-7621.

Sincerely,



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