



Department of Energy

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

FREEDOM OF INFORMATION ACT PROGRAM

May 27, 2016

In reply refer to: FOIA #BPA-2016-00910-F

Wes Franco

(b)(6)

Mr. Franco:

We have received your request for records under the Freedom of Information Act (5 U.S.C. § 552) which was transferred from the Department of Energy. Your request was received in this office on May 11, 2016, and has been assigned control number BPA-2016-00910-F. Please use this number in any correspondence with the agency about your request.

You requested:

“[A]ny files that you have pertaining to who/what organization gives money to JC-BIOMETHANE, LLC; where their funds are going to; how much energy they've been producing; and anything else that would indicate the reason for their back taxes.”

In an email dated May 20, 2016, you revised your request to: “Documents that show how much BPA pays JC-Biomethane for its energy.”

We have reviewed your letter 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.

You have agreed to pay \$25 in fees.

Complex requests:

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)). The Bonneville Power Administration has instituted multi-track processing, as permitted by FOIA (5 U.S.C. § 552(a)(6)(D)(i)). 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 will require significant agency time or resources to process.

Unusual/exceptional circumstances:

Under FOIA, an agency may extend the normal 20-day deadline by an additional ten business days 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 require consultation with other agencies or agency components including Department of Energy headquarters. If an agency cannot fulfill the request within the 30 working days provided by the extended deadline, agencies must (a) notify the requester and (b) work with the requester to modify or limit the scope of the request or arrange an alternative time frame for processing (5 U.S.C. § 552(a)(6)(B)(ii)).

Because you are requesting documents that involve a commercial entity, JC-Biomethane, we will be required to consult with them regarding the release of any information that belongs to them. Therefore, we currently estimate the completion of your request by August 15, 2016. Because this date is outside of the permissible 30-day extended deadline, we will contact you shortly to discuss the possibility of modifying or limiting your request to permit faster processing.

I appreciate the opportunity to assist you. If you have any questions about this letter, please contact Kim Winn, Case Coordinator, at 503-230-5273.

Sincerely,



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