



## Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

May 20, 2016

In reply refer to: FOIA #BPA-2016-00911-F

Dirk R. Middents  
Senior Paralegal  
K&L Gates LLP  
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Dear Mr. Middents,

The Bonneville Power Administration (BPA) has received your request for records under the Freedom of Information Act (5 U.S.C. § 552) (FOIA). Your request was received in this office on May 12, 2016 and has been assigned tracking number BPA-2016-00911-F. Please use this number in any correspondence with the agency regarding your request.

### Request

“...copies of the following contracts...and all [related] amendments...: DE-MP65-85WP59106 [&] DE-MS79-81BP90493.”

### Acknowledgement

We have reviewed your request and have determined that it fulfills 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.

### Complex Requests

The FOIA requires that BPA 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 the 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 a review for statutory exemptions and related consultations with, and objection solicitations to, possible third party signatories to the

contracts and amendments you have requested. 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 require consultation with other agency components. We have determined that our response may require consultation with other agency components and have therefore determined your request involves unusual circumstances.

In light of the above conditions and determinations, we currently estimate the completion of your request by August 12, 2016.

**Fee**

You have agreed to pay up to \$ 200.00 in FOIA fees for processing the above request.

If you have questions about this communication, you may contact James King (CorSource Technology Group, Inc.), assigned to the BPA FOIA office, at 503-230-7621.

Sincerely,



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