



Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

October 11, 2016

In reply refer to: FOIA #BPA-2016-01596-F

Adrienne Thompson
Troutman Sanders LLP
100 SW Main Street
Portland, Oregon 97204

Dear Ms. Thompson:

The Bonneville Power Administration (BPA) has received your request for agency records made under the Freedom of Information Act (5 U.S.C. § 552). It was received in this office on September 29, 2016 and has been assigned a Department of Energy (DOE) tracking number of BPA-2016-01596-F. Please use this number in any correspondence with the agency regarding your request.

Request

"...a copy of the "Retroactive Billing Adjustment Six Year Limit," Memorandum from Charles Maichel, dated March 25, 2008, which is referenced on page 6 of the document noted in BPA's online Internal Policy Library as "CSS 02 Restructuring Payment Terms Policy" (aka "Restructuring Payment Terms Policy: Collection of a Billing Adjustment Claim against a Customer" (Effective Date: December 22, 2011))."

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 DOE FOIA regulations at Title 10, Code of Federal Regulations, Part 1004.

FOIA Fee

You have agreed to pay up to \$ 100.00 in FOIA fees.

Complex Requests

The FOIA requires that BPA act on requests "promptly" and that the agency 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 consultations with possible third parties. We have therefore designated your request as complex.

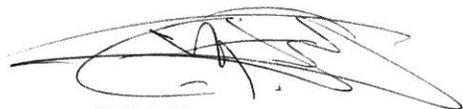
Unusual/Exceptional Circumstances

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 a response to your request may possibly require consultation with other agency components. 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 December 5, 2016.

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,

A handwritten signature in black ink, appearing to read 'C. M. Frost', with a large, sweeping flourish underneath.

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