



## Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

December 20, 2016

In reply refer to: FOIA #BPA-2017-00309-F

Douglas Albright  
Actuation Test Equipment Company  
3393 Eddie Road  
Winnebago, IL 61088  
[DudleyDevices@Aol.com](mailto:DudleyDevices@Aol.com)

Dear Mr. Albright,

The Bonneville Power Administration (BPA) has received your request for agency records made under the Freedom of Information Act, 5 U.S.C. § 552 (FOIA). Your records request was received by BPA on November 28, 2016 and has been assigned a Department of Energy (DOE) tracking number of BPA-2017-00309-F. Please use this tracking number in any correspondence with the agency regarding your FOIA request.

### Request

"...the minutes and agendas for any HOT meetings since [BPA's] last FOIA response [of 5/9/2016]."

### Clarification

Via your December 13, 2016 email to BPA FOIA personnel, you further indicated that, "The Agenda tells what is planned and the minutes say what happened. I don't want any of the attachments to it, just the Minutes and Agenda."

### Acknowledgement

BPA has reviewed your request and 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 \$ 10.00 in fees for your FOIA request. That acknowledged, BPA notes that there are outstanding fee payments due on your previous FOIA requests to BPA regarding

the same subject records. Should the fulfillment of your current FOIA request exceed the \$ 10.00 you have agreed to, BPA will contact you for an acceptance of new fees and concomitantly place your instant FOIA request, BPA-2017-00309-F, on hold pending the acceptance of new fees and payment of the outstanding fees. For your reference, the relevant regulatory language on the fee topic from 10 CFR 1004 is as follows:

(8) Advance payments. Requesters are not required to make an advance payment (i.e., payment before action is commenced or continued on a request) unless:

...

(ii) A requester has previously failed to pay a fee in a timely fashion (i.e., within 30 days of the date of the billing). The DOE will require the requester to pay the full amount delinquent plus any applicable interest as provided in paragraph (b)(5) of this section, or demonstrate that he or she has, in fact, paid the delinquent fee; and to make an advance payment of the full amount of the estimated current fee before we begin to process a new request or a pending request from that requester.

### **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. BPA has determined that a response to your request will likely require a review of the responsive records for statutory exemptions and consultations with third parties, including the U.S. Army Corps of Engineers and the Bureau of Reclamation and has therefore designated your request as complex.

### **Unusual/Exceptional Circumstances**

The FOIA provides that an agency may extend the response time if “unusual circumstances” exist (5 U.S.C. § 552(a)(6)(B)(i)). Unusual circumstances include a need to search records located in field facilities, requests for a voluminous amount of records, and requests that require consultation with other agency components. BPA has determined that a response to your request will require consultation with other agency components and has therefore determined that your request involves unusual circumstances.

### **Target Date for Completion**

In light of the above conditions and determinations, BPA currently estimates the completion of a response to your FOIA request by February 28, 2017.

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 blue ink, appearing to read "C. M. Frost", with a large, sweeping flourish underneath.

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