



Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

May 26, 2023

In reply refer to: FOIA #BPA-2023-00207-F

PII

Michael Deckert

PII

Dear Mr. Deckert,

This communication is the Bonneville Power Administration's (BPA) final response to your request for agency records made under the Freedom of Information Act, 5 U.S.C. § 552 (FOIA). Your request was received November 21, 2022, and formally acknowledged on November 29, 2022.

Request

“Records documenting BPA’s analysis regarding the decision to not renew the Power Purchase Agreement with Lewis County Public Utility District #1, FERC Project 2833. Relevant topics include but are not limited to records that document: data, reports, cost/benefit analysis, projections, reimbursement under section 17 of the contract, and forecasts.”

Response

BPA conducted records and information searches in the agency’s Generation Asset Management office. Knowledgeable agency personnel in that office found no records specifically responsive to your FOIA request, BPA-2023-00207-F (above). Subject matter experts in that office have shared that the Power Purchase Agreement with Lewis County Public Utility District remains active until 2032. As a consequence, the agency has no records which might reflect or show an “analysis regarding the decision to not renew”.

BPA continues the review and processing of your three remaining FOIA requests. Your remaining FOIA requests for agency records concerning the Federal Energy Regulatory Commission (FERC) Project 2833 remain open. Those open FOIA requests are, BPA-2023-00140-F and BPA-2022-01116-F and BPA-2023-00778-F. Responses to those three FOIA request are forthcoming, as detailed in recent letters to you.

Fees

No fees will be associated with processing of your request.

Certification

Pursuant to 10 C.F.R. § 1004.7(b)(2), I am the individual responsible for the records search and information provided above. Your FOIA request BPA-2023-00207-F is now closed with no responsive agency records available to provide.

Appeal

Note that the FOIA response certified above is final. Pursuant to 10 C.F.R. § 1004.8, you may appeal the adequacy of the records search, and the completeness of this final records response, within 90 calendar days from the date of this communication. Appeals should be addressed to:

Director, Office of Hearings and Appeals
HG-1, L'Enfant Plaza
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585-1615

The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. You may also submit your appeal by e-mail to OHA.filings@hq.doe.gov, including the phrase "Freedom of Information Appeal" in the subject line. (The Office of Hearings and Appeals prefers to receive appeals by email.) The appeal must contain all the elements required by 10 C.F.R. § 1004.8, including a copy of the determination letter. Thereafter, judicial review will be available to you in the Federal District Court either (1) in the district where you reside, (2) where you have your principal place of business, (3) where DOE's records are situated, or (4) in the District of Columbia.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
E-mail: ogis@nara.gov
Phone: 202-741-5770
Toll-free: 1-877-684-6448
Fax: 202-741-5769

Questions about this communication may be directed to James King, FOIA Public Liaison, at jjking@bpa.gov or at 503-230-7621. Thank you for your interest in the Bonneville Power Administration.

Sincerely,

Candice Palen  Digitally signed by Candice Palen
Date: 2023.05.26 06:36:24 -07'00'

Candice D. Palen
Freedom of Information/Privacy Act Officer