



Department of Energy
Southwestern Power Administration
One West Third Street
Tulsa, Oklahoma 74103-3502

November 15, 2011

Via Email (Jason@Smathe.rs)
Mr. Jason Smathers
P.O. Box 781
Topock, AZ 86436-0781

Dear Mr. Smathers:

Subject: SWPA-2012-00113-F

This is in response to the request for documents that you sent to Southwestern Power Administration under the Freedom of Information Act (FOIA) 5 U.S.C. 552. Specifically you requested "all records that contain the standard language or template paragraphs used for responses to FOIA Requests and FOIA Appeals in your agency." You asked us to limit the search to records held by the FOIA Office of persons tasked with FOIA and you limited the scope of the search to records created between 1/1/2000 and the date this request is processed. You also asked us to exclude all actual responses to specific FOIA requests.

In response to your FOIA request, enclosed are documents that you requested. This response only pertains to the request submitted to this office. Other DOE offices to which you submitted your request will reply to you directly relative to the responsive documents under their office records jurisdiction.

You may challenge the determination to withhold information by submitting a written appeal to the Director, Office of Hearings and Appeals, at HG-1/L'Enfant Plaza Building, U.S. DOE, 1000 Independence Avenue, SW, Washington, DC 20585-1615. You should submit the appeal within 30 calendar days of receipt of this determination.

The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. The appeal must contain all of the elements required by 10 C.F.R. § 1004.8. Judicial review will thereafter be available (1) in the district where you reside; (2) in the district where you have your principle place of business; (3) in the district where the records are located; or (4) in the District of Columbia.

This response required less than 2 hours of search and review time and required less than 100 pages of reproduction. Therefore, no charges will be assessed. 10 C.F.R. § 1004.9.

Sincerely,

A handwritten signature in cursive script that reads "Martha F. Ayers".

Martha F. Ayers
Freedom of Information Act Officer

Mr.

RE: SWPA-

Dear Mr.

This is in response to the request for documents that you sent to the Southwestern Power Administration under the Freedom of Information Act (FOIA) 5 U.S.C. 552. Specifically you requested

Enclosed are copies of the information you requested. However, information has been redacted under Exemption. 5 U.S.C. Section 552()10 C.F.R. Section.

Information required to be submitted by a person is confidential for purposes of if disclosure is likely to either (1) impair the Government's ability to obtain necessary information in the future or (2) cause substantial harm to the competitive position of the person from whom the information is obtained.

Portions deleted from the documents enclosed contain information that relates to the identity of as well as to . Information would give. For these reasons, the information is being withheld.

Pursuant to 10 C.F.R. 1004.7(b)(2) I am responsible for the determination to withhold the information under Exemption of the FOIA.

Likewise, pursuant to 10 C.F.R. 1004.8, you may challenge the determination to withhold information from the document by submitting a written appeal to the Director, Office of Hearings and Appeals, L'Enfant Plaza Building, U.S. Department of Energy, 1000 Independence Avenue, S.W. Washington, D.C. 20585-1615.

The written appeal, including the envelope must clearly indicate it is a FOIA Appeal. The appeal must contain all elements required by 10 C.F.R. 1004.8 to the extent applicable. Judicial review will thereafter be available to you (1) in

the District of Columbia, (2) in the district where you reside, (3) in the district where you have your principal place of business or (4) in the district where the DOE records are located.

Sincerely,

**Martha F. Ayers
Freedom of Information Act Officer**

Via Email

Mr.

Dear

This letter is in response to your Freedom of Information Act email request dated and received the same date. You requested

A reasonable search was performed and no documents were found.

If you are dissatisfied with this determination, you may appeal within 30 days from the date you receive this letter to The Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue, S.W., Washington, DC 20585. The appeal must be in writing and both the envelope and letter must be clearly marked "Freedom of Information Act Appeal."

If you have any questions about this letter, please contact me.

Freedom of Information Act Officer

Via Federal Express

Dear Mr.

This letter is in response to your Freedom of Information Act email request dated , and received the same date. In your email you requested the documents submitted by

A copy of the is enclosed with deletions of any personal identifiers, pursuant to Exemption 6 of the Freedom of Information Act, 5 U.S.C. 552(6). This exemption provides that an agency may protect from disclosure of personal information if a disclosure would constitute a clearly unwarranted invasion of privacy.

Exemption 6 protects from disclosure “personal and medical and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” In applying Exemption 6, I considered (1) whether a significant privacy interest would be invaded by disclosure of the information, (2) whether the release of the information would further the public interest by shedding light on the operations or activities of the Government, and (3) whether in balancing the private interests against the public interests, disclosure would constitute a clearly unwarranted invasion of privacy.

Fees to process this request did not amount to \$15.00; therefore, you will not have a cost for this request.

I am the person responsible for the denial of the withheld information.

The Freedom of Information Act Regulations at 10 CFR 1004.8(a) states that you may appeal the decision to withhold this information. Such appeal must be made in writing, within 30 calendar days of the receipt of this letter to the Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Ave. S.W., Washington, DC 20585-0107. If after your appeal to the Director you believe a further appeal is necessary then judicial review in a district court will be available, either with the district in which you reside or in the District of Columbia.

Freedom of Information Act Officer

Enclosures

FED-EX OVERNIGHT DELIVERY

Re: FOIA Request dated

Dear:

I received your FOIA request dated , at Southwestern Power Administration on

You requested . Your FOIA will be processed within the 20 business day time limit.

I am the person responsible for your request. If you have questions, please call me at 918-595-6609.

Sincerely,

Martha Ayers
Freedom of Information Officer

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr.

RE: E-FOIA Request

Dear Mr.

We received your E-FOIA request dated _____, at Southwestern Power Administration
(Southwestern) on _____.

Your request for _____ is enclosed.

Sincerely,

Martha Ayers
Freedom of Information Officer

Enclosure

Date

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr.

Dear

I am responding to your Freedom of Information Act request of _____ received in this office on .

You requested 1)

A copy of the _____ is enclosed with deletions of names, and any other personal identifier, pursuant to Exemption 6 of the Freedom of Information Act, 5 U.S.C. 552(6). This exemption provides that an agency may protect from disclosure all personal information if its disclosure would constitute a clearly unwarranted invasion of privacy. No information will be provided about any _____ as that information is regarded as an invasion of their personal privacy.

This information is withheld pursuant to Exemption 6 of the Freedom of Information Act. This exemption provides that an agency may protect from disclosure all personal information if its disclosure would constitute a clearly unwarranted invasion of privacy.

Pursuant to 10 CFR 1004.10(b)(6) Southwestern Power Administration has determined that some of the information you requested is exempt from mandatory public disclosure. The Freedom of Information Act Regulations at 10 CFR 1004.8(a) state that you may appeal the decision to withhold this information. Such appeal must be made in writing, within 30 calendar days of the receipt of this letter to the Director, Office of Hearing and Appeals, Department of Energy, 1000 Independence Ave., S.W., Washington D.C. 20585-0107. If after your appeal to the Director, you believe a further appeal is necessary, then judicial review in a district court will be available either with the district in which you reside or in the District of Columbia.

I am the responsible for the disposition of your request as set forth in this response.

Sincerely,