SOUTHEAST ALASKA POWER AGENCY
('SEAPA' or 'Agency')

PUBLIC RECORDS REQUEST FORM

On September 28, 2017, the Southeast Alaska Power Agency voluntarily adopted a policy effective as of January 1, 2018, to provide the public and its ratepayers access to certain documents, materials, and information. As a Joint Action Agency, SEAPA is exempt from the Public Disclosure act, Alaska Statutes, Section 40.25.220(2). By voluntarily adopting this policy, SEAPA seeks to accommodate the public and its ratepayers' requests for access to records, recognize the goal of transparency, balance such access with the limited staff the Agency has available, and preserve the ability to conduct business as efficiently as possible.

Requestor Information:

Name	Date		
Firm/Organization (if applicable)			
Address	Phone	Mobile	Fax
City/State/Zip	Email		

Records Requested:

Title /Date of Record(s):	
Description of Record: *(If title is unknown, please provide specific information such as subject matter, dates, location, or the persons/issues involved.)*	
Records may be: (i) picked up from the SEAPA Office, (ii) mailed via US First Class Mail (see Section 7, Costs/Fees attached), or (iii) emailed to the Requestor (provide email address). Please specify how you would like to receive the records:	

See attached General Information for fees for copying and research time, and other information including records exempt from disclosure.

Select a suitable description of yourself and the purpose of the request:

○	An individual seeking information for personal use and not for commercial use. If the subject matter of the request is yourself, the Agency may contact you to verify your identity.
○	Affiliated with an educational or noncommercial scientific institution, and this request is made for scholarly or scientific purposes and not for commercial use.
○	Affiliated with a private corporation or law firm and seeking this information for use in the company's business.
○	A representative of the news media and this request is not for commercial use.
○	Other (please explain):

ACKNOWLEDGMENT AND CERTIFICATE OF NON-LITIGATION

The undersigned, _____ *(spell out name legibly)*, hereby acknowledges that prior to making this records request that:

- I have searched the Agency's website for documents or information already provided prior to submitting this request. *(Documents publicly disclosed on SEAPA's website will not be duplicated in response to a request.);*
- I have read and understand the General Information provided below which includes fees for copying/staff time, and the list of records exempt from disclosure; and,
- I certify that I am not, nor is any party I may represent, involved in litigation, in a judicial or administrative forum, with the Southeast Alaska Power Agency or a public agency to which the requested record(s) is/are relevant.

_____ _____

Requestor's Signature Date

GENERAL INFORMATION

Records to be produced by Agency are those non-exempt records created, received, stored, maintained, etc. as of January 1, 2018, subject to the following:

(1) **Exempt Records**. Documents created, received, stored, maintained, etc. prior to January 1, 2018 are exempt. Exempt records include, but are not limited to:

- Records within the "deliberative process privilege". Deliberative process privilege is defined as a form of executive privilege that protects from disclosure to third parties information showing the process by which the Agency reached a particular decision or crafted a specific policy.
- Confidential attorney-client records.
- Records within the Alaska constitutional right to privacy.
- Agency personnel records, including, but not limited to, examination materials, health, mental health, medical, and personality problem information obtained or prepared by the Agency with respect to any person for whom treatment or services were provided, medical records which reveal financial or medical status of any specific individual and, in addition, those records the disclosure of which would constitute an unwarranted invasion of privacy, including but not limited to those records protected by federal and state laws.
- Information which the Agency and/or its member utilities may be engaged in which is considered to be privileged or confidential for purposes of successful collective bargaining.
- Communications from the Agency's attorney which contains legal questions concerning potential, pending, or actual litigation and any labor negotiation. Any documents marked "confidential" or "privileged" shall only be produced if the Agency's attorney so authorizes. With respect to a person involved in litigation, the records sought shall be disclosed in accordance with legal advice rendered by the Agency's attorney.
- Information obtained by and in the custody of insurance carriers insuring the Agency and its agents, and attorney, regarding possible and pending claims against the Agency.
- Records concerning conflict of interest and ethics investigations.
- Records regarding the strategic initiatives of the Agency are exempt from this policy. A Strategic Initiative of the Agency involves creating new markets for power sales, new projects adding capacity and/or energy, projects that advance important new services and benefits to the member communities served by the Agency, adopting new technologies or implementing efficiencies that support the Agency and its member communities, as well as discretionary projects and programs outside of the Agency's day-to-day operational activities, designed to help the Agency achieve its targeted performance or goal.
- Records required to be kept confidential by federal law or regulation or by state law.
- Records required to be kept confidential by consultants, contractors and others responding to Agency requests for bids, proposals and information.
- Critical Energy Infrastructure Information (CEII).
- Records of engineering, marketing, accounting or other technical or financial data, which, if released, would provide a competitive advantage to any other persons or business engaged in similar or related activities.
- Proprietary information which a manufacturer, consultant, or provider, reasonably expects to be kept privileged or confidential to protect the property interests of persons providing the information or data.

(2) **Records Term/Definition**. Records must exist at the time the request is submitted to be considered. Each records request will be treated as a single request. Records will not be produced from "evergreen" requests for automatic renewal. Records shall mean: Papers, files, writings, memos, and other items, regardless of format or physical characteristics, that are received or generated by the Agency, or by a private contractor working for the Agency on Agency related business, and that are preserved for their informational value; records of the Agency do not include proprietary information kept by the Agency, or other such proprietary information disclosed to the Agency or exempt under this policy.

(3) **Records Custodian**. The Agency's Records Custodian ("RC") will be the primary contact for compliance with this policy. The RC is not required to create any records, manipulate any data, or provide any other interpretation, or analysis in the response to the records request.

(4) **Response Time**. An initial response shall be provided by the RC within twenty (20) business days of receipt of the written request, not including the date of receipt. The RC may, but is not required to, inform the requestor of the total time estimated to respond to the records request. The Agency may exceed the twenty (20) day time limit if necessary to request more information from the requestor and extend the time limit by up to ten (10) additional working days if the RC must search an extraordinary amount of records or the search involves records from multiple locations. In the event of numerous simultaneous requests, the RC may extend the response time as reasonably necessary to accommodate such requests.

(5) **First-come, First-serve**. Requests shall be treated on a first-come, first-serve basis.

(6) **Expedited Review**. Requests may receive 'expedited review and processing' if the request meets certain requirements, i.e., health and safety are at issue. If the requestor believes there is a compelling reason why the information is needed sooner than the normal period, these reasons should be clearly explained in the initial Records Request. The Agency may decide whether to grant expedited processing within ten (10) business days of the request. Aside from these specific circumstances, the Agency may use its discretion whether it will grant expedited review.

(7) **Costs/Fees**. If the time to assemble the records exceeds one (1) hour in any calendar month, the requestor shall be required to pay in advance the estimated hourly cost of the Agency staff which includes actual salary and benefit costs for personnel time required to complete the search and copy tasks required to complete the records request. The hourly rate is established at **$50/hr**. The Agency reserves the right to have third-party providers fulfill the Records request. If the amount paid in advance exceeds the total cost, the Agency shall refund the difference, and if the amount due exceeds the estimate paid, the Agency shall collect the difference at the time the records are to be released. If hard copies are requested, the charge is **$.25/page for black and white copies** and **$.50/page for color copies**; if electronic copies are requested on a 1 gigabyte USB flash drive the cost will be **$8.00** per flash drive; and if mailed copies are requested, Requestor shall pay mailing costs. The Agency will not accept requestor provided media. **Payments must be made by money order or cashier's checks. The Agency will not accept cash, personal checks, or credit cards.**

(8) **Denial of Request/Right to Appeal**. The RC may consult with legal counsel if there are questions regarding disclosure of records and/or application of exemptions. If it is determined that certain records will be withheld, notice of the decision shall be made in writing to the requestor. If the requestor disagrees with the determination, they may contact the RC for the process available for a review of the determination.

REQUESTORS MAY RETURN THE FORM BY EMAIL TO: info@seapahydro.org AND IN THE SUBJECT LINE STATE: "ATTN. RECORDS CUSTODIAN" OR MAIL THE FORM TO:

RECORDS CUSTODIAN
SOUTHEAST ALASKA POWER AGENCY
55 Don Finney Lane
KETCHIKAN, ALASKA 99901

INTERNAL USE ONLY – INFORMATION TO BE COMPLETED BY RECORDS CUSTODIAN

Date Request received: _____ via Mail: __ / Email: __ Referred to:_____ Dept:_____
Referred to:_____ Dept:_____
Referred to:_____ Dept:_____

COSTS					
Service Provided	**Quantity**	**Unit Cost**	**Identify Mailing Service (e.g., First Class Mail, Priority Mail, Express Mail, etc.)**	**Cost of Mailing**	**Total**
B&W Copies		$.25/page			$
Color Copies		$.50/page			$
Flash Drives		$8.00/unit			$
Records Assembly		$50/hour			$
Mailing Cost		N/A		$	$
				TOTAL	$

EXEMPTION(S) OR CAUSE FOR NON-SUBMITTAL OF REQUESTED RECORD			
	Record(s) Requested	**Reason for Exemption**	**Record Unavailable or Cannot Be Located**
1.			
2.			
3.			
4.			
5.			

Date Record(s) Submitted to Requestor: _____ **via:** _____

Signature of Records Custodian: _____

Date: _____