



## Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

April 15, 2024

In reply refer to: FOIA #BPA-2022-00999-F

**SENT VIA EMAIL ONLY TO:** [sbatman@cosgravelaw.com](mailto:sbatman@cosgravelaw.com)

Shellice Batman  
Cosgrave Vergeer Kester LLP  
900 SW 5<sup>th</sup> Avenue, 24<sup>th</sup> Floor  
Portland, Oregon 97204

Dear Ms. Batman,

This communication concerns Cosgrave Vergeer Kester's (CVK) request for Bonneville Power Administration (BPA) records, made under the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"). Your FOIA request was received on June 28, 2022, and formally acknowledged on July 14, 2022. A first partial response to your request was sent to you on March 21, 2023, a second partial response was sent to you on July 27, 2023, and a third partial release was sent to you on March 13, 2024.

### Original Request

"Any and all documents regarding the Holiday Farm Fire that began on September 7, 2020, in Lane County, Oregon - including but not limited to Investigation documents and reports, photographs, video recording, audio recordings, and correspondence regarding the fire and its causes."

### Clarification

On July 1, 2022, you communicated with the agency via phone and discussed the scope of your request. Specifically discussed were the implications of requesting, "any and all documents". FOIA office staff explained that, (1) the agency's FOIA staff is small, (2) requests are processed on a first-in, first-out basis, (3) the agency's search for a wide records scope would take a significant amount of time and resources, and (4) your FOIA request could therefore take between two and three years to process. As discussed, BPA received a similar FOIA request which also seeks a voluminous number of records related to the Holiday Farm Fire ("HFF"). The agency worked with that FOIA requester to narrow the scope of their request to focus on the HFF records of most interest to them. A summary of the results of the agency's agreement with the prior FOIA requester to re-scope their FOIA request was shared with you. You and the agency agreed that BPA would process the similarly responsive records coincidentally with the similar FOIA request response. On July 12, 2022, you replied to BPA via email and, (1) agreed to re-scope your request to that which was suggested to you on July 1, and (2) asked for additional records to be collected for your HFF request. Your re-scoped FOIA request follows.

## Re-scoped Request

### Section 1

1. All documents and communications concerning any faults or outages, from September 6th–8th, 2020, on BPA’s transmission system or related facilities along the McKenzie River Highway (Highway 126, between Eugene and Rainbow, Oregon) or interconnected to the Cougar Dam. “Transmission system” is defined as power lines, substations, and microwave sites which support the communications network.
2. All documents and communications concerning any faults or outages, from September 6th–8th, 2020, on third party transmission systems or related facilities interconnected to BPA’s transmission system along the McKenzie River Highway or interconnected to the Cougar Dam.
3. All documents and communications related to any incident reports concerning BPA’s transmission system or related facilities along the McKenzie River Highway or interconnected to the Cougar Dam. Scope/Date range = Sep 6, 2020 – October 31, 2020.
4. All documents and communications related to any incident reports concerning third party transmission systems or related facilities interconnected to BPA’s transmission system along the McKenzie River Highway or interconnected to the Cougar Dam. Scope/Date range = Sep 6, 2020 – October 31, 2020.
5. All documents and reports concerning any inspection of BPA’s transmission system or related facilities along the McKenzie River Highway or interconnected to the Cougar Dam occurring after September 7, 2020. Scope/Date range = Sep 6, 2020 – October 31, 2020.
6. All documents, communications, and any underlying data relied upon in the creation of the document entitled: “Holiday Farm Fire Outage Sequence of Events.”
7. All documents and communications related to investigations of the Holiday Farm Fire that were provide[d] to the US Forest Service fire investigator.

### Section 2

1. A map or diagram of BPA’s power distribution system in Oregon.
2. A map or diagram of how and where [Lane Electric Cooperative] LEC is connected to the BPA power grid.
3. Documents evidencing or relating to ownership of the transmission lines and related equipment from Trailbridge/Carman Smith Powerhouses to the Thurston Substation.
4. All agreements in place on September 7, 2020 between the BPA and [the Eugene Water and Electric Board] EWEB relating to the transmission, distribution or purchase of electricity.
5. All agreements in place on September 7, 2020 between the BPA and LEC relating to the transmission, distribution or purchase of electricity.
6. All agreements in place on September 7, 2020 between the BPA and the Army Corp of Engineers relating to the transmission, distribution or purchase of electricity generated by the Cougar Powerhouse.

7. Documents containing the name and affiliation of any individual who provided information incorporated into the document entitled “Holiday Farm Fire Outage Sequence of Events.” or are referenced in the “Comments” sections of that document.

**Critical Energy/Electric Infrastructure Information**

In our March 13, 2024 letter to you, we explained that BPA believed that eleven pages of records responsive to your request contain Critical Energy/Electric Infrastructure Information (CEII). We asked that you let us know if you wanted us to continue processing these records.

**Administrative Closure**

BPA has not heard from you in response to our March 13, 2024 letter. BPA is therefore administratively closing your FOIA request BPA-2022-00999-F and the agency will take no further action in responding to your request. All records collected in response to your FOIA request will be retained by the agency for a period of six years.

**Certification**

Pursuant to 10 C.F.R. § 1004.7(b)(2), I am the individual responsible for the records search and information release described above. Your FOIA request BPA-2022-00999-F is now closed. You may, of course, refile your FOIA request at any time. If the agency receives the needed feedback from you, BPA will place your existing request back into the FOIA response queue at its original queue position.

Questions about this communication may be directed to FOIA Program Lead Jason Taylor at [jetaylor@bpa.gov](mailto:jetaylor@bpa.gov) or 503-230-3537.

Sincerely,

Candice D. Palen  
Freedom of Information/Privacy Act Officer