



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 20, 2018

NRC-2018-000563

Terry J. Lodge, Esq.
316 N. Michigan Street, Suite 520
Toledo, OH 43604-5627

Dear Mr. Lodge:

We received your Freedom of Information Act (FOIA) request on June 15, 2018.

Your request, which seeks access to minutes, notes, slideshows and other records exchanged between NRC and FERC during both the public and non-public portions of the Joint Meeting held on June 7, 2018, as well as any draft records prepared for or exchanged during the non-public portion of the meeting, has been assigned the following reference number that you should use in any future communications with us about your request: NRC-2018-000563

To ensure the most equitable treatment possible of all requesters, the NRC processes requests on a first-in, first-out basis, using a multiple track system based upon the estimated time it will take to process a request. Based on your description of the records you are seeking, we estimate completion of your request will be on or before July 25, 2018. Please note that we are estimating that completion will take more than 20 working days because we expect to have to:

- search for, collect, and appropriately examine a voluminous amount of records
- consult with multiple program and/or regional offices within the NRC
- consult with other Federal agencies having equities in the records
- refer records to a licensee, or other business submitter
- undertake a declassification review of classified records; or
- retrieve records from Federal Records Centers or other off-site facilities.

Please know that this date is a rough estimate of how long it will take us to close requests ahead of yours in the respective track and complete work on your request. The actual date of completion might be before or after this estimate, based on the complexity of all of the requests in the complex track. We will advise you of any change in the estimated time to complete your request. In an effort to process your request promptly, you may wish to narrow the scope of your request to limit the volume of potentially responsive records.

For purposes of assessing fees in accordance with our regulations (10 CFR 9.33), we have placed your request in the following category: non-expected (other). If applicable, you would be charged appropriate fees for: search and duplication. However, because you have indicated that you prefer to receive our response electronically, you would not incur duplication charges.

A sheet has been enclosed that explains in detail the fee charges that may be applicable.
Please do not submit any payment unless we notify you to do so.

You requested that fees be waived for your request and I have determined that your justification is adequate and fees will be waived for those records that are responsive to your request.

A request for expedited processing can be granted only when the requester shows a "compelling need" based on meeting either of two conditions: when failure to obtain the records quickly "could reasonably be expected to pose an imminent threat to the life or physical safety of an individual;" or, if the requester is a person "primarily engaged in disseminating information," by demonstrating that an "urgency to inform the public about the actual or alleged Federal Government activity" exists.

Your stated reason for requesting expedited processing does not meet the above criteria. Your stated reason for requesting expedited processing does not meet the above criteria pertaining to an imminent threat to life or physical safety of an individual. Therefore, you have not demonstrated a compelling need and your request for expedited processing cannot be granted. You may appeal this determination. Any such appeal must be made in writing within 90 calendar days by addressing the appeal to the Executive Director for Operations.

The following person is the Government Information Specialist who has been assigned responsibility for your request: Margo Stevens at 301-415-8148 or margo.stevens@nrc.gov.

If you have questions on any matters concerning your FOIA request, please feel free to contact the assigned Government Information Specialist or me at (301) 415-7169.

Sincerely,

Stephanie A. Blaney /s/

Stephanie A. Blaney
FOIA Officer
Office of the Chief Information Officer

Enclosure:
Explanation of Fees

EXPLANATION OF FEES

Requester Fee Categories

Commercial: Fees are charged for document search, duplication, and review, when records are requested for commercial purposes. Fees (above the minimum fee charge) cannot be waived for this category of requester.

Educational, Non-Commercial Scientific, News Media and Privacy Act: Fees may be charged only for document duplication when records are not sought for commercial use and the request is made by an Educational or Non-Commercial Scientific Institution, whose purpose is scholarly or scientific research; or a Representative of the News Media; or a person requesting his/her own records that are in a Privacy Act system of records. No fee is charged for the first one hundred pages of duplication for this category of requester.

Non-Excepted: For any request not described above (Non-Excepted), fees may be charged for document search and duplication. No fee is charged for the first two hours of search time or for the first one hundred pages of duplication for this category of requester.

Fee Schedules

Fee schedules provide only for the recovery of the direct costs of search, duplication, or review. Review costs include only the costs for initial examination of a document to determine whether it must be disclosed and to determine whether to withhold portions that are exempt from disclosure. The fee schedule is as follows:

<u>Search & Review Conducted By</u>	<u>Rate</u>	
! SES/COMMISSIONER	\$90.53/hour	(ES-maximum)
! PROFESSIONAL	\$56.36/hour	(GG-13, Step 6)
! CLERICAL	\$25.16/hour	(GG-7, Step 7)
<u>Duplication Charges</u>	\$.20 per page	

Fees for non-standard search or duplication will be charged at the actual cost (e.g. providing copying of audio tapes or conducting computer searches).

Minimum Fee: No fee will be charged unless the fee is equal to or greater than \$25.00.

When to Pay Fees

If we estimate that fees will not exceed \$25.00 or you have stated in your request a higher amount that you are willing to pay, we assume your willingness to pay up to \$25 or the amount stipulated and you will be billed after we have completed your request.

If we estimate that fees will exceed \$25.00 or any amount that has been stated by you in your request, we will not proceed with your request until we have notified you and obtained your agreement to pay the estimated fees.

If we estimate fees will exceed \$250, you will be required to pay the estimated fees in advance before we proceed further with your request. If, while processing your request, we find that the actual fees exceed the estimated fee, we will obtain your consent to pay the additional fees before continuing to process your request. If the actual fees to process your request are less than any advance payment you have made, you will be refunded the overpayment amount.

Fee Waivers

A waiver or reduction of fees may be granted for furnishing documents if a requester, by fully addressing the eight factors in 10 CFR 9.41, clearly demonstrates that disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.