Agency Name

Public Service Commission of the District of Columbia

Annual Freedom of Information Act Report for Fiscal Year 2014
October 1, 2013 through September 30, 2014

FOIA Officer Reporting Richard Beverly (through Naza Shelley)

PROCESSING OF FOIA REQUESTS

1. Number of FOIA requests received during reporting period ……..... 6
2. Number of FOIA requests pending on October 1, 2013…….... 1
3. Number of FOIA requests pending on September 30, 2014……... 1
4. The average number of days unfilled requests have been pending before each public body as of September 30, 2014 ……... 0

DISPOSITION OF FOIA REQUESTS

5. Number of requests granted, in whole……... 1
6. Number of requests granted, in part, denied, in part……... 3
7. Number of requests denied, in whole…… 0
8. Number of requests withdrawn……... 1
9. Number of requests referred or forwarded to other public bodies……... 0
10. Other disposition ……... 1

NUMBER OF REQUESTS THAT RELIED UPON EACH FOIA EXEMPTION

11. Exemption 1 - D.C. Official Code § 2-534(a)(1)……..... 2
12. Exemption 2 - D.C. Official Code § 2-534(a)(2)……..... 0
13. Exemption 3 - D.C. Official Code § 2-534(a)(3)
    - Subcategory (A)…….. 0
    - Subcategory (B)…… 0
    - Subcategory (C) …… 0
    - Subcategory (D) …….... 0
    - Subcategory (E) ……..... 0
    - Subcategory (F) …… 0
14. Exemption 4 - D.C. Official Code § 2-534(a)(4) ……... 2
15. Exemption 5 - D.C. Official Code § 2-534(a)(5)……..……..... 0

16. Exemption 6 - D.C. Official Code § 2-534(a)(6)

    Subcategory (A)…….…….....0

    Subcategory (B)……0...

17. Exemption 7 - D.C. Official Code § 2-534(a)(7)…….....0

18. Exemption 8 - D.C. Official Code § 2-534(a)(8)…….....0

19. Exemption 9 - D.C. Official Code § 2-534(a)(9)…….....0

20. Exemption 10 - D.C. Official Code § 2-534(a)(10)…….....0

21. Exemption 11 - D.C. Official Code § 2-534(a)(11)……...0

22. Exemption 12 - D.C. Official Code § 2-534(a)(12)……...0

TIME-FRAMES FOR PROCESSING FOIA REQUESTS

23. Number of FOIA requests processed within 15 days……4…

24. Number of FOIA requests processed between 16 and 25 days……2...

25. Number of FOIA requests processed in 26 days or more……0...

26. Median number of days to process FOIA Requests…….……15

RESOURCES ALLOCATED TO PROCESSING FOIA REQUESTS

27. Number of staff hours devoted to processing FOIA requests……60…

28. Total dollar amount expended by public body for processing FOIA requests……$3,750.00...

FEES FOR PROCESSING FOIA REQUESTS

29. Total amount of fees collected by public body……...……0…

PROSECUTIONS PURSUANT TO SECTION 207(d) OF THE D.C. FOIA

30. Number of employees found guilty of a misdemeanor for arbitrarily or capriciously violating any provision of the District of Columbia Freedom of Information Act ……..….0

QUALITATIVE DESCRIPTION OR SUMMARY STATEMENT

Pursuant to section 208(a)(9) of the D.C. FOIA, provide in the space below or as an attachment, "[a] qualitative description or summary statement, and conclusions drawn from the data regarding compliance [with the provisions of the Act]."

Public Service Commission of the District of Columbia
1333 H Street, N.W., 2nd Floor, West Tower
Washington, DC 20005
(202) 626-5100
www.dcpsc.org

December 15, 2014

Via Electronic Mail

Sharon D. Anderson
Interim Secretary of the District of Columbia
1350 Pennsylvania Avenue, NW, Suite 419
Washington, DC 20004

Re: DCPSC FOIA Report – FY 2014

Dear Ms. Anderson

In accordance with the FOIA Report instructions provided by your office, and pursuant to D.C. FOIA § 208(a)(9), please find below the Public Service Commission of the District of Columbia's "qualitative description or summary statement, and conclusions drawn from the data regarding compliance [with provisions of the Act]."

The Commission's FOIA Report for FY 2014 demonstrates that, on average, the Commission processes FOIA requests within 15 days. Out of the six (6) FOIA requests that were received and processed by the Commission in FY2014, only two (2) took more than 15 days to process. In both of those cases, the response period was extended either due to the voluminous nature of the response or in order to provide the source of the confidential or proprietary information an opportunity to assert privilege over the documents or information requested. Further, in both of those cases, the Commission responded within 15 days of receiving responses from both parties regarding whether the information should be released. The Commission has also, for the first time, but in two responses in this fiscal year, used the newly adopted FOIA Exemption 15 (D.C. Code § 2-534(a)(15)), which is not provided for on the Reporting Form, to protect Critical Infrastructure Information from being released to the public.

I note that in response to item 3 of the report, the Commission has one (1) pending FOIA response as of September 1, 2014, but an average of 0 days of unfilled requests before the Commission (see item 4). This discrepancy is due to the fact that on March 18, 2013, the

Commission received an FOIA request seeking information and documents spanning a large time period and which were voluminous in nature. In response, the Commission, in conjunction with the requestor, established a rolling-response system wherein we provide documents to the requestor on a monthly basis. To date, we have provided eleven responses to that single FOIA request and will continue to provide responses until we have covered the entire period reflected in the FIOA request. In order to appropriately capture the unusual nature of this matter, I contacted you on Thursday December 11, 2014, and you advised me to factor that request out of the Commission's report because the Commission has indeed been responsive. Therefore, I have answered zero (0) in response to item 4 on the report.

If you have any questions regarding the content of this letter, then please contact me directly at (202) 626-0200.

Sincerely,

__/s/_____
Naza N. Shelley
Attorney Advisor