

May 2, 2014



VIA EMAIL (ethangreene94@gmail.com)
AND VIA FIRST CLASS MAIL

Mr. Ethan Greene
711 S. Highland Park Avenue
Chattanooga, TN 37404

Re: Open Records Request received April 23, 2014

Dear Mr. Greene:

EPB has received your three open records request on April 23, 2014. According to you, this is a reformatted request from your previous Open Records Request EPB received on March 24, 2014 to make it easier for EPB to retrieve the records. This request received on April 23, 2014 is identical to the request EPB received on March 24, 2014 as you split the initial request into three separate requests. Submitting multiple open records request instead of one request does not make it easier for EPB to retrieve the records.

As I indicated in my letter responding to your first request, EPB employees will have to spend a significant amount of time to gather the documents you requested. A list of the advertising agreements must be compiled going back to January 1, 2012 and each file must be located to retrieve each agreement. Every check paid for advertising associated with these agreements must be retrieved manually. Request for emails are complex and time consuming requiring direct access to email servers, individual review, and redaction of confidential information. Finally, a review of all the agreements and checks must also be conducted to redact any confidential information.

Again, this request is identical to the request EPB received on March 24, 2014. The work required to respond to these three requests is the same as the request EPB received on March 24, 2014. EPB estimates your three requests will take sixty-three (63) man hours to complete. Under the law, the cost to complete this request is to be paid by the requesting party pursuant to Tenn. Code Ann. §10-7-503(a)(7)(C). After giving credit for the first hour of labor as required by the Open Records Act, EPB estimates that it will take approximately sixty-two (62) chargeable hours to produce the information you have requested for a total labor cost of \$1,767.07. This estimate is calculated using the base hourly wage not including benefits for each employee necessary to produce the requested records.

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Before EPB incurs this cost on behalf of all customers for producing the documents you have requested, we need you to provide payment for the production costs by cash or cashier's check in advance. Once the production costs are paid, we estimate that it will take approximately ten days to produce these documents. You may deliver payment to me in the Legal Services Division on the 5th Floor at EPB's headquarters located at 10 W. M.L. King Boulevard, Chattanooga, TN 37402.

Best Regards,

A handwritten signature in blue ink, appearing to read "David DiBiase".

David DiBiase
EPB Legal Counsel