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January 14, 2004

Janie C. Har
Staff Writer
The Oregonian
1320 Broadway
Portland, OR 97201

Re: Petition for Public Records Disclosure Order:
Oregon Department of Transportation Records

Dear Ms. Har:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on Thursday, January 8, 2003, asks the Attorney General to direct the Oregon Department of Transportation (ODOT) to disclose three categories of records that, according to your request dated December 16, 2003, are "related to the reorganization of ODOT's highway division, in particular, the bridge engineering unit of the technical services division."

We spoke with Patrick Cooney, ODOT Communications Administrator, about your petition, and Mr. Cooney stated that ODOT will disclose the requested records to you. In regard to your request for electronic mail logs, Mr. Cooney stated that ODOT does not yet have the logs, but that it will disclose them to you when they become available. Mr. Cooney also stated that he estimates the cost to ODOT of responding to your request to be approximately $1500.[1]

[1] The Public Records Law authorizes a public body such as ODOT to charge a "reasonably calculated" fee to reimburse its cost in providing you with copies of the requested records. ORS 192.440(3). A public body may estimate the fee for responding to a records request and require its prepayment. ATTORNEY GENERAL'S PUBLIC RECORDS AND MEETINGS MANUAL (2001) 14.

Because ODOT has agreed to release the requested records to you, we deny your petition as moot.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS13454
c: Patrick Cooney, ODOT Communications Administrator