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March 9, 2020

VIA EMAIL ONLY: fosterfell6@yahoo.com

Foster Fell
1104 NE 12th Street
Bend, OR 97701

Re: Petition for Public Records Disclosure Order
Oregon Department of Fish and Wildlife
DOJ File No.: 635020-GA0028-20

Dear Mr. Fell:

This letter is the Attorney General's response to your petition for disclosure under the Oregon Public Records Law, ORS 192.311 to 192.478. Your petition, which we received March 2, 2020, relates to a request you submitted to the Oregon Department of Fish and Wildlife (ODFW) for all maintenance and repair records of the PacifiCorp dam in Bend going back to 2000. ODFW provided you with a fee estimate of $1,450.00 to process your request. Your petition asks us to order ODFW to waive its fee because you believe it is unreasonable.

We contacted ODFW regarding your petition and they informed us that after filing your petition, you agreed to significantly narrow the scope of your initial request. As a result, ODFW has provided you with a new fee estimate of $330.00. Because you have reduced the scope of your request and ODFW has provided you with a reduced fee estimate, we respectfully deny your petition as moot.[1] You may, of course, file a new petition if you believe ODFW has unreasonably denied your request to waive or reduce the new fee estimate. *See* ORS 192.324(6).

Sincerely,

Frederick M. Boss
Deputy Attorney General

FMB:pjn/DM10140771
c via email only: James Owens (ODFW)

[1] Because we determined that these changes made your petition moot, we inquired whether you would like to withdraw your petition. However, we did not receive a reply from you by the statutory deadline for responding to your petition. *See* ORS 192.411(1).