

Policy No: LGL-33
Revision No: 4
Effective Date: 04/30/2024



PUBLIC RECORDS REQUESTS

1.0 PURPOSE AND SCOPE

The Public Utility District No. 1 of Franklin County (the District) is a municipal corporation formed and organized pursuant to Title 54 of the Revised Code of Washington (RCW). The District is governed by three publicly elected Commissioners who appoint the General Manager as the chief administrative officer. Additional information about the District is available online at www.franklinpud.com.

The District is committed to providing the public full access to public records in accordance with the Washington State Public Records Act (the Act) found at chapter 42.56 RCW, and the Model Rules on Public Disclosure found at chapter 44-14 of the Washington Administrative Code (WAC). The Act requires public agencies to provide the public full access to identifiable records concerning the conduct of government, mindful of individuals' "privacy rights and the desirability of efficient administration of government."

The District has implemented the provisions of the Act relating to public records of the District and provides guidance to the public in obtaining access to public records through this Policy which is available at the District's Administration building at 1411 W. Clark Street, Pasco WA 99302, during regular business hours of 7:00 am – 6:00 pm, Monday through Thursday, excluding Fridays and District observed holidays, and anytime on the District's website at www.franklinpud.com.

2.0 DEFINITIONS

Bot Request: A Records Request that the District reasonably believes was automatically generated by a computer program or script.

Exempt Records: Records or portions of records that are exempt from public disclosure. Exemptions include those identified in the Act or in other statutes incorporated by RCW 42.56.070. Exemption from disclosure of a portion of a record does not automatically exempt the remainder of the record from disclosure. Exempt portions of records may be subject to redaction.

Identifiable Record: A record that is in existence at the time the Records Request is made, and that District staff can reasonably locate.

Inspection/Review: In-person access to public records.

Public Record(s): Any type of recorded information relating to the conduct or performance of the District regardless of physical form or characteristics.

Public Records Officer: The employee designated by the District to serve as the point of contact for members of the public requesting public records and who provides implementation and Policy compliance for Records Requests submitted to the District.

Records Coordinator: The designated staff member(s) whose responsibility is to coordinate with District staff and provide responsive records to or on behalf of the Public Records Officer.

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Records Request: A request for Public Records made to the District pursuant to the Act. Requests for public records made pursuant to other statutory rights of access to public records shall not be considered “public records requests” but may be otherwise handled under this procedure. For this Policy, a Records Request may be referenced as a “request”.

Requester: The person or entity making the request for public records.

3.0 IMPLEMENTATION

This section establishes the guidelines for Requesters to access public records and ensure timely action on requests for records while preventing excessive interference with other essential functions of the District and protecting records from damage or disorganization. Public records requests subject to this Policy are property of the District.

The District need only disclose records or portions of records to the extent required by the Act. Records or portions of records may be withheld or redacted to the extent necessary or permissible by law. The District is not required to create records or documents in response to a request for public records that do not exist at the time the request is made.

A variety of records are readily available on the District’s website at www.franklinpud.com. Requesters are encouraged to view the records available on the website prior to submitting a Records Request.

3.1 Submittal of Records Requests

Any person requesting access to general public records or seeking assistance in making a request must contact the Public Records Officer, in any of the following manners:

| In Person/by Phone: | By Mail: | By E-Mail: |
|--|---|--|
| 1411 West Clark Street Pasco, WA 99302 Phone: 509-546-5947 Hours: 7:00 AM to 6:00 PM Mon-Thu – Except Fridays and District Holidays | Attention: Public Records Officer P.O. Box 2407 Pasco, WA 99302-2407 | publicrecords@franklinpud.com |

To ensure accuracy and efficiency in filling Records Requests, the District encourages and prefers that all requests be made in writing on the Request for Disclosure of Public Records Form (Exhibit A), which is available at the District’s Administration building during normal business hours and on the District’s website at www.franklinpud.com at any time.

Requests received by mail will be deemed received on the date received by the Administrative office and will be date-stamped. Request received by e-mail after the close of business will be deemed received on the next business day.

3.2 Records Request Format

Records Requests should include the following information:

- Requester name, mailing address and contact phone number/e-mail address.
- The date the Records Request was submitted.

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- A clear indication that a Records Request is being made, i.e.: email subject line or document heading “Public Records Request”.
- A clear description of the public records being requested so that the Public Records Officer and staff will be able to locate the records. If possible, include the date or time period of creation of the records if known.
- Whether the Requester intends to inspect/review the records, obtain a copy of the records or both.
- If the Records Request is for a list of names and/or addresses, a signed statement regarding whether the records are being requested for a commercial purpose; and
- Requester signature.

3.3 Request by Law Enforcement Authority

In addition to the information listed in Section 3.2, a law enforcement authority is required to provide proper identification and must also provide the District with a written statement in which the authority states that it suspects that the person to whom the records pertain has committed a crime and that the authority has a reasonable belief that the records could determine or help determine whether the suspicion might be true; RCW 42.56.335.

The Request for Disclosure of Public Records by Law Enforcement Form is available (Exhibit B) at the District’s Administration building during normal business hours and on the District’s website at www.franklinpud.com at any time. Nothing in this requirement shall create any right to privacy in customer records.

3.4 Oral Requests

A Record Request made orally should be made to the Public Records Officer or designee during normal business hours. The Public Records Officer or designee will write the request as he/she understands it and confirm it with the Requester. The Requester should provide contact information to facilitate communication with the District regarding the Records Request.

If the oral request was made to a District employee other than the Public Records Officer or its designee, the Public Records Officer or designee may seek written clarification within five business days. If the Requester does not provide the sufficient clarification within 30 days of the original request for clarification, the request will be closed as to the portions of the records request that are unclear.

3.5 Unaccepted Formats for Records Requests

The District does not accept requests via social media, fax, or voicemail. The District does not monitor social media sites, fax machines or review voicemails on the chance a Requester may attempt to submit a request via one of those methods.

The District cannot ensure that it will properly recognize or even receive a request sent by means other than the District’s adopted procedures.

3.6 Avoid Ambiguous Terms

Requesters are encouraged to avoid using ambiguous terms such as “all records relating to,” “all records regarding,” or “all records pertaining to”. Such terms may cause unnecessary delays in processing the Records Request and may require clarification for the District to process the request. The District may deny requests that do not seek identifiable records.

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3.7 Fair Notice of Records Requests

It is the Requester's obligation to provide the District with fair notice that a Public Records Act request has been made. To ensure fair notice is provided, Requesters are encouraged to use the official forms, make the request through the Public Records Officer's office, and/or take other steps to clearly identify their request. When a Requester does not use an official request form or makes a request to an employee who is not the Public Records Officer or includes a request as part of other documents provided to the District for reasons other than making a records request, the Requester may not be providing fair notice to the District.

For example, when a request is submitted with other documents not related to disclosure of public records, it is the responsibility of the Requester to provide reasonable notice that a public records request is included.

3.8 Inspection and Copying

Responsive records to a request are available for inspection during the District's normal business hours of Monday through Thursday 7:00 a.m. to 6:00 p.m., at a mutually agreed upon time, excluding Fridays and District observed Holidays, at the main Administration Office at 1411 W Clark St. Pasco, WA. The District will make reasonable efforts to accommodate reasonable requests for appointment times. The Public Records Officer or designee will oversee public review of any public records to ensure the integrity and security of public records during inspection. No member of the public may remove a public record from the viewing area, disassemble, or alter any public record.

No fees shall be charged for the inspection of public records.

If at the time of inspection, the Requester:

- behaves in a manner which will damage or substantially disorganize the records or interfere excessively with other essential functions of the District the inspection may be denied, and the record(s) withdrawn by the Public Records Officer or designee.
- requests copies, the copying of records from a District system or equipment will be done by District staff. Complex or voluminous copies may require additional time outside of the set appointment. Fees may be applied. District records will not be allowed to be removed from District property.

3.9 Preservation of Public Records

The Public Records Officer shall, to the extent practicable, ensure that records requested are not removed from the premises nor portions thereof removed by members of the public except as necessary to make copies by a District employee or private copy business contracted by the District. Documents shall not be released to the public for the purpose of allowing the Requester or a copy business contracted by the Requester to make copies.

3.10 Bot Request

The District has no duty to accept certain automated or bot requests. The District may deny bot requests that are one of multiple requests from a Requester within a 24-hour period if responding to the multiple requests would cause excessive interference with the District's other essential functions. The District has the discretion to block any requests if it has a reasonable basis to believe that the requests pose a security risk to the District or any of its systems or equipment.

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3.11 Anonymous Requesters

If the Requester chooses to not provide any contact information, the District will prepare a response that is consistent with these procedures and guidelines. Requesters may submit requests anonymously, however, doing so limit the District's ability in providing later found responsive records.

If a five-day letter is necessary, the District shall have it ready for the Requester to collect at the District's office on the fifth business day, unless the Requester provides sufficient contact information.

If a five-day letter or responsive records prepared within five days of the request are not picked up by the Requester within 30 days of the date of the original request, the request and all other future installments (if any) shall be considered abandoned, and the request will be closed.

4.0 RESPONSE TO A RECORDS REQUEST

The District will process Records Requests in the most efficient manner as the Public Records Officer deems appropriate.

4.1 Initial Response

Upon receipt of a records request, the Public Records Officer will respond in writing within five (5) business days of receipt of the request, excluding weekends and District holidays, by:

- providing the record or a link to the District website to the specific records requested, except if the Requester notifies the Public Records Officer that he or she cannot access the records, then the Public Records Officer shall provide copies of the record or allow the Requester to view copies using a District computer,
- acknowledging that the Records Request has been received and providing a reasonable time estimate required to respond to the Records Request,
- acknowledging that the Records Request has been received, seeking clarification for a request that is unclear, and providing a reasonable time estimate required to respond to any parts of the Records Request if it is not clarified, or
- denying the Records Request.

4.2 Reasonable Time Estimate Required to Respond

The Public Records Officer sets a reasonable time to respond and produce the responsive records based on factors such as:

- the need to clarify the intent of the Records Request,
- time needed to locate and assemble the records,
- time needed to notify third parties affected by the Records Request and to provide such parties with the opportunity to seek a court order preventing disclosure where appropriate,
- the need to determine whether any of the information requested is exempt from disclosure,
- the current volume of records requests, and
- other essential functions of the agency affecting the current workload and projects of the Public Records Officer and other staff.

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If the Public Records Officer determines it would be appropriate, delivery of responsive installments will be established. At any time while processing a request, the Public Records Officer may provide the Requester with a revised reasonable estimate of time within which the District will respond to the request. A revised estimate of time will typically be based on:

- unexpected or unforeseen delays encountered during the request for processing,
- additional requests submitted by the same Requester while the initial request(s) remains pending,
- changed staffing resources, general workload, or schedule, and/or
- other changed circumstances or considerations ascertained during the processing.

4.3 Exemptions

The District is not required to permit public inspection or copying of records for which public disclosure of the record is prohibited, restricted, or limited by state or federal statute or regulation. The Public Records Officer may redact exempt portions of requested records as identified in the Act or other federal/state laws and provide non-exempt portions.

If it is determined that all or part of any record should not be disclosed pursuant to RCW 42.56 or other law, the Public Records Officer may consult with legal counsel prior to denying the Records Request or redacting information from a Public Record.

Any response by the Public Records Officer refusing the inspection or copying of a public record in whole or in part, shall be in writing and include a statement of the specific exemption authorizing the withhold of the record (or any part thereof), and a brief explanation of how the exemption applies to the records(s) or any portion that is withheld.

4.3.1 Commercial Purposes

The District will not provide or sell public records for private gain or commercial purposes. A Requester will not be required to disclose the purpose of the request, with the following exceptions:

- If the request is for a list of individuals, the Requester will be required to fill out an affidavit relating to commercial purpose usage. Records will not be produced until an affidavit is provided to the District if it is determined that a commercial purpose may exist. The District, by law, is not allowed to disclose public records lists for individuals when the intent is to use the information for commercial purposes.
- A Requester may be asked the purpose of the request if such information will sufficiently allow determination if another statute prohibits disclosure, and to allow the District to provide fullest assistance to the Requester.

4.3.2 General

The Act specifies types of records that may be exempt or partially exempt from public disclosure. To the extent required to prevent disclosure of statutorily protected information, or to protect information within a document that partially meets an exemption under federal or state law, such exempt information shall be withheld or redacted in a manner consistent with legal requirements prior to being made available under a public records request. In each case, the justification for the withholding or redaction shall be explained to the Requester in writing.

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A current list of statutes frequently applicable to the District's records is included as Exhibit D and published on the District's website. The District's failure to list all possible bases for exemption shall not affect the District's ability to rely on such an exemption.

4.4 Clarification Request by the District

The District may seek clarification on any Records Request that is unclear or appears to be broad in nature. The District's requests for clarification may be done in writing or orally. Clarifications must be received within ten (10) calendar days of the date the request for clarification is made by the District.

If a Requester fails to provide the requested clarification to the District or fails to describe an identifiable public record with adequate specificity such that it can be located, the District will deem the request abandoned and withdrawn, and will take no further action.

4.5 Third-Party Notice

In the event the requested record(s) contain information that may affect the rights of other persons and/or may be exempt from disclosure, the District may, prior to providing the records, give notice to such other persons whose rights may be affected by disclosure. The notice shall include a complete copy of the public records request. Third parties shall be given a reasonable time to obtain and provide to the District an order from the court preventing or limiting disclosure.

4.6 Providing Records in Installments

When a Records Request is complex (requires extensive research, is for a large number of records, or third-party notification/or exemption review), the Public Records Officer may provide access for inspection and copying in partial installments if reasonably determined that it would be practical to provide the records in that way. If the Requester fails to claim or review the entire set of records or one or more of the installments within 30 days, the Public Records Officer may stop searching for the remaining records and close the Records Request: RCW 42.56.080/WAC 44-14-04005.

4.7 Claims

The Public Records Officer shall promptly notify the District's legal counsel when a Records Request concerns a matter that is known to the Public Records Officer to involve a claim or litigation that is pending or anticipated.

4.8 Electronic Records

Unless the electronic records are specifically requested by the Requester in electronic format, the Public Records Officer may print electronic records prior to copying and delivery of such records. If the record necessitates redaction due to an exemption, the District may provide only a paper copy with traditional redactions if an electronic redaction is not feasible. If the electronic record is not capable of being printed due to its size, then the document may be provided electronically in the format in which the record is maintained by the District or in PDF format. There is no obligation of the District to convert an electronic record to a different format. Fees shall be charged as required by Section 4.12.

4.9 No Duty to Create Records

The District has no duty to create new public records to satisfy a Records Request, to answer written questions, or provide information in a format that is different from original public records. However, the District may, in its discretion, create such a new record to fulfill the Records Request where it may be easier for the District to create a record responsive to the Records Request than

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to collect and make available voluminous records that contain small pieces of information responsive to the Records Request; WAC 44-14-04003(6).

4.10 No Duty to Supplement Responses

The District is not obligated to hold current Records Requests open to respond to requests for records that may be created in the future. A new Records Request must be made to obtain later-created public records.

4.11 No Fee Required in Certain Instances

No fee will be charged for inspection of a public record; records found on the District's website; locating and making public records available for copying; searching for public records; redacting portions of the record which are exempt from disclosure; preparing an index of exempt documents; or for communicating with the Requester.

4.12 Public Records Requests Fee Schedule ("Fee Schedule")

The current Fee Schedule is available on the District's website or upon request from the District. The Public Records Officer will update the Fee Schedule as costs change. Fees will be waived when:

- a Records Request is made by a federal, state, or local agency, or
- the total fees provided in the Fee Schedule for all responsive records to a request are paper copies or scan pages amount to \$4.00 or less, including the cost for an envelope, container or device, and postage as necessary, or
- all responsive records are electronic, can be provided in one email, and attachments equal to 200 printed pages or fewer.

If the total fees and costs for all responsive records to a request does not fall under the fee waiver, then the total costs and fees must be paid by the Requester before release of the responsive records. The Requester will be assessed the actual costs incurred by the District related to delivering the public records, including taxes and the following:

- postage fee,
- the cost of an envelope, container, or device, and/or
- when a third-party vendor is hired by the District to copy or scan; RCW 42.56.120.

Only District-provided electronic devices will be connected to the District's network.

4.13 Deposit

For large Records Requests, the District may require a deposit of ten percent (10%) of the estimated total cost of copying/scanning records prior to copying/scanning any records for a Requester. The District may also require payment of the remaining cost before providing all the records, or payment of the costs of copying an installment before providing that installment. No sales tax will be charged; RCW 42.56.120.

4.14 Closing, Withdrawn, or Abandoned Requests

If the Requester withdraws the Records Request, fails to clarify a request when asked, or fails to timely inspect the records within 30 days of notice that the records are available for inspection, or fails to pay the deposit or final payment for the requested copies, the Records Request shall be deemed abandoned and closed. The Public Records Officer or designee will notify the Requester that the request has been closed and that no further action will be taken. Closure of the Records Request and the circumstances that led to closure will be documented; RCW 42.56.120.

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4.15 Denial of Request Due to Exemption

All denials of Records Requests will be accompanied by a written statement specifying the reason(s) for the denial, including a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld; RCW 42.56.210(3).

4.16 Closing the Request

When the inspection of the requested records is complete and all requested copies are provided, the Public Records Officer will indicate in writing to the Requester that the District has completed a diligent search for the requested records and made any located non-exempt records available for inspection, the response is final and definitive, and that the Records Request is completed and closed.

4.17 Later Discovered Responsive Records

If, after the Public Records Officer has informed the Requester that all responsive, non-exempt records have been provided, the District becomes aware of additional responsive records that existed at the time of the Records Request, the Public Records Officer will promptly inform the Requester in writing of the additional records.

5.0 PREREQUISITES/LIMITATIONS/CAUTIONS

5.1 Mechanism for Review of Denial

Any person who objects to any denial of a records request or a portion of the request may submit a petition in writing (including by e-mail) to the Public Records Officer for a review of that decision. The petition shall include fair notice that a petition is being requested and shall include a copy of or reasonably identify the written statement by the Public Records Officer or designee denying the request.

The Public Records Officer shall promptly provide the petition and any other relevant information to the District's legal counsel for the review. The District's legal counsel will promptly consider the petition and either affirm or reverse the denial within five (5) business days following the District's receipt of the petition, or within a time to which the District and the Requester mutually agree.

5.2 Judicial Review

Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of five (5) business days after the initial denial regardless of any internal administrative appeal.

5.3 Retention of Records

The District is not required to retain all records it creates or uses and follows RCW 40.14, Preservation and Destruction of Public Records, in the retention and destruction of public records. The State of Washington Local Records Committee (State Auditor, Attorney General, and State Archivist) approves the records retention schedules for local government agency records that are common to most agencies, including Public Utility Districts.

The records retention schedules for local agencies are available at Washington Secretary of State, Washington State Archives website. Retention schedules vary based on the content of the record; WAC 44-14-03005.

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5.4 Index of Public Records

The District’s Commissioners have determined that maintaining an index as provided in RCW 42.56.070(3) for use by the public would be unduly burdensome and would interfere with District operations given the high volume, various locations, and types of public records received, generated, and otherwise acquired by the District; RCW 42.56.070(4). The District will make available for public disclosure all indices of public records which may at a future time be developed for District use.


5.5 Disclaimer of Liability

Neither the District nor any officer, employee, official or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon a release of public records if the employee releasing the records acted in good faith in attempting to comply with this Policy.

This Policy is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. Despite the use of any mandatory terms such as “shall” or “will” nothing in this Policy is intended to impose mandatory duties on the District beyond those imposed by state and federal law.

EXHIBITS/ATTACHMENTS

- Exhibit A: Request for Disclosure of Public Records Form
- Exhibit B: Request for Disclosure of Public Records by Law Enforcement Form
- Exhibit C: Records Fee Schedule (Resolution 1293)
- Exhibit D: Frequently Applicable Exemptions List

Approved by:  Date: 4/30/24
Scott Rhees, General Manager/CEO

- Revision History:
- Issued: 12/11/07
 - Revision 1: 11/15/16
 - Revision 2: 01/03/18
 - Revision 3: 08/23/22
 - Revision 4: 04/30/24

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**REQUEST FOR DISCLOSURE
OF PUBLIC RECORDS**



Franklin PUD
Attn: Public Records Officer
1411 W. Clark St. / PO BOX 2407
Pasco, WA 99302

Email: Publicrecords@franklinpud.com

Phone: **509-546-5947**

Instructions: Requester please complete **Sections 1 and 2** and return to the Public Records Officer by mail, email, or hand-delivered via the contact information listed above. For assistance, please call the Public Records Officer at 509-546-5947 or email publicrecords@franklinpud.com.

Section 1: Requester Information

| | | | | |
|---|--|---------------------------------------|--------------------------------|-------------------------------------|
| Name: _____ | Phone Number: _____ | | | |
| Address: _____ | Email: _____ | | | |
| City _____ | State _____ | Zip Code: _____ | | |
| Requestor Type: | <input type="checkbox"/> Individual | <input type="checkbox"/> Law Firm | <input type="checkbox"/> Media | <input type="checkbox"/> Government |
| | <input type="checkbox"/> Current/Former Employee | <input type="checkbox"/> Organization | <input type="checkbox"/> Other | |
| Whom are you requesting this information for? | <input type="checkbox"/> Self | <input type="checkbox"/> Other | | |

Section 2: Records Request Details

Describe the records being requested, please be as specific as possible. Failure to provide specific information may result in the delay of fulfilling your request or denial of request for unidentifiable records. Please provide all information you have concerning your request.

Preferred method to receive records.:

- Electronic via e-mail? Pick up paper copies Inspect on site Regular mail
(Fees may apply to receive copies)

Limitation On Use For Commercial Purposes

Washington State law, RCW 42.56.070(8), prohibits the use of lists of individuals for commercial purposes. "Commercial purposes" means that the person requesting the record intends that the list will be used to communicate with the individuals named in the record for the purpose of facilitating profit-expecting activity. By signing below, you are certifying that the lists of individuals obtained through this request for public records will not be used for commercial purposes.

Requester's Signature: _____ Date: _____

PR Request No. _____ (internal use only)

Please forward the completed request the Public Records Department.

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**REQUEST FOR DISCLOSURE
OF PUBLIC RECORDS
BY LAW ENFORCEMENT AGENCY**



Franklin PUD
Attn: Public Records Officer
1411 W. Clark St. / PO BOX 2407
Pasco, WA 99302
Email: Publicrecords@franklinpud.com

Phone: 509-546-5947

This form is provided to allow law enforcement agencies to obtain disclosure of public records in accordance with the Washington State Public Records Act, and the District's Resolution 1263, Customer Privacy.

Authorized law enforcement representatives are required to provide proper identification and sign this form acknowledging the records being requested are being obtained pursuant to the requirements of the Washington State Public Records Act.

For further information, please contact the Public Records Officer at 509-546-5947 or email publicrecords@franklinpud.com.

Legal Process Requirements: The following types of records, or portions thereof, will require a signed warrant and/or subpoena for processing: customer records containing banking information, including routing numbers, social security numbers, and credit card numbers. (This list is all inclusive.)

Requester Information:

Name: _____ Date _____

Type of Identification Provided to District: _____

Law Enforcement Agency: _____

Contact Phone Number: _____ E-mail: _____

Requested Records Information: *(please identify the records information being requested).*

Requester must review and sign prior to record/information being provided: This request for customer information from the District is being made pursuant to the Washington State Public Records Act. Upon signing this statement, the Requester acknowledges that the above information is being requested because they suspect that the particular person to whom the records pertain has committed a crime. The Requester further states that there is reasonable belief that the records being requested could determine or help determine whether their suspicion might be true.

Requester's Signature _____

PR Request No. _____ (internal use only)

Please forward the completed request to the publicrecords@franklinpud.com

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Exhibit C
Public Records Requests Fees

The District issues the following rules pursuant to RCW 42.56.120 and this Policy.

| | DESCRIPTION | FEE |
|--|---|--|
| Copies: | Photocopies or printed copies | \$0.15 per page |
| Scans: | Scanned records using District equipment. | \$0.10 per page |
| Attachments: | Records uploaded to email, or cloud-based data storage service, or other means of electronic delivery. | \$0.05 per each 4 electronic files or attachment |
| Transmittals: | Transmission of records via electronic format. | \$0.10 per 1GB |
| Digital Storage: | Digital storage media or devices (flash drive, CD, DVD). | Actual cost |
| Mailing Costs: | Any container or envelope used to mail copies, and postage or delivery charges. | Actual cost |
| Third Party: | A third party hired by the District to copy or scan. | Actual cost |
| Information Technology Expertise: | Information technology expertise to prepare data compilations, or provide custom customized electronic access services not used for other agency purposes | Customized service charge (actual cost) |
| <i>Charges may be combined to the extent that more than one type of charge applies to copies responsive to a particular request.</i> | | |

Fee Schedule Statement:

It is unduly burdensome for the District to calculate the actual cost of copying and producing public records on a case-by-case basis. Cost vary depending on the complexity, size, and level of legal review required, number of redactions required, the format of the records, and personnel working on a request. The added cost of conducting a study for each request would interfere with the District’s ability to respond to requests in a timely manner. Therefore, the District adopts the following copy costs pursuant to the authority under RCW 42.56.120 and the District’s Public Records Requests Policy Number 33. The District reserves the right to waive a de-minimis amount of fees, as set out in the Public Records Request Policy. These charges are effective immediately.

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Exhibit D Frequently Applicable Exemptions List

This list is for informational purposes only and not intended to be an exhaustive list of exemptions. Failure to list an exemption shall not affect the efficacy of any exemption.

- Lists of individuals for commercial purposes; RCW 42.56.070(8).
- Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the Records Request for disclosure when disclosure would produce private gain and public loss; RCW 42.56.270(1).
- Customers' addresses, telephone numbers, electronic contact information, and customer-specific utility usage and billing information in increments less than a billing cycle; RCW 42.56.330(2).
- Personal information in files maintained for District Commissioners and District employees to the extent that disclosure would violate their right to privacy, including but not limited to addresses, phone numbers, social security numbers, voluntary deductions, marriage status, and number of dependents; RCW 42.56.230(3).
- All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant; RCW 42.56.250(2).
- The residential addresses, personal telephone numbers, personal email addresses, and emergency contact information of employees or volunteers of a public agency which are held by the agency in personnel records, employment, or volunteer rosters, or mailing lists of employees or volunteers; RCW 42.56.250(4).
- Credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial information; RCW 42.56.230(5).
- Social security numbers; RCW 42.56.230(5).
- Preliminary drafts, notes, recommendations, and intra-agency memoranda in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by the Commissioners in connection with any Commission action; RCW 42.56.280.
- Real estate appraisals made for an agency relative to the acquisition or sale of property; RCW 42.56.260.
- Attorney-client or work product records pertaining to pending, threatened, or completed litigation; RCW 42.56.290.
- Information regarding the infrastructure and security of telecommunication networks; RCW 42.56.420(4).
- Medical records and information; RCW 70.02.
- Industrial insurance claim files and records; RCW 51.28.070.
- Test questions, scoring keys, and other employment examination data; RCW 42.56.250(1).
- Any record which is exempt from disclosure under state or federal law.

A customer who wishes to have the District verify his or her information will provide the District a statement in writing giving authorization to provide that verification. This authorization will apply to all requests for verification, unless the authorization is specific to particular Requesters.