

**From:** [Phinney, Brian](#)  
**Sent:** 1/23/2018 6:50 PM  
**To:** [fury777777@gmail.com](mailto:fury777777@gmail.com)  
**Cc:** [Bennett, James](#); [Fournier, Cheryl](#)  
**Subject:** Freedom of Information Request

Dear Deborah,

Please accept this email as acknowledgement of receipt of your Freedom of Access Act (FOAA) request dated January 18, 2018.

The City has performed an initial review of available files and determined that certain information is either not readily available or does not fit within the timeframe you have specified. I will attempt to identify the specifics and provide you with options in order to fulfill your request. Once you have had an opportunity to review the options please let me know how you would like to proceed. In the interest of clarity I will address each request independently.

Request 1&2: *Please provide all identified estimate sewer accounts since Maine Water took over.*

Response: Maine Water merged with Biddeford & Saco Water Co in early 2014. The City has in its possession a list of estimated accounts as of August 2017. In order to obtain a list dating back to the Maine Water merger, we will need to request the information from Maine Water. We are prepared to make the request; however, Maine Water will have up to 5-days to respond.

**Would you like the list of estimated accounts as of August 2017 or wait to receive the list of estimated accounts, or both?**

Request 3, 4, 5: *A copy of all abatement requests, results of abatement requests, what abatements were denied or not denied.*

Response: The City does not maintain a separate file of abatement requests. This information is documented in the Waste Water Commission meeting minutes.

- a) The City can perform a review of the meeting minutes to obtain a copy of the abatement requests and each decision associated with each abatement request. **There are two options:**
  - i. The Wastewater Commission has requested a summary of abatements and results from July 2017 through January 18, 2018. This information is to be presented to the Commission at the regular meeting on Wednesday, February 14<sup>th</sup>. This is public information and will be available when the meeting agenda packet is published. **If you choose this option, no fee will be charged; however, the abatement information will be limited to August 2017 through January 18 and may not be available until Friday, February 9<sup>th</sup>.**
  - ii. If you wish to have a copy of all abatement requests and the subsequent determination since Maine Water Company merged with Biddeford & Saco Water Co in 2014, we will need to review the minutes from each meeting beginning after the merger and copy/scan the relevant information. Under Maine's Freedom of Access Act, the City is allowed to charge for time in excess of 2 hours for such work. The estimated time to perform the review, assuming you specify 2014 as the start date, will not exceed 20 hours. This equates to \$300 (\$15/hr x 20 hrs). **If you would like us to proceed with**

**collecting this data, please provide payment in advance for the review. If the actual review time is less than 20 hrs the City will promptly refund any difference. The information will be transmitted in electronic format (no copying fee) unless you specify paper copies, in which case each page is subject to a \$0.25 copying fee.**

I will be out of the office on Wednesday, January 24<sup>th</sup>; however, I have copied City Manager Jim Bennett and Finance Director Cheryl Fournier. Please copy these two individuals in your reply. They are prepared to move forward in my absence based on your preference(s). If you choose Item B(ii), Cheryl can advise you on the appropriate prepayment options.

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**From:** Deborah Miles [mailto:[fury7777777@gmail.com](mailto:fury7777777@gmail.com)]  
**Sent:** Tuesday, February 13, 2018 8:17 AM  
**To:** Phinney, Brian <[Brian.Phinney@Biddefordmaine.org](mailto:Brian.Phinney@Biddefordmaine.org)>  
**Subject:** RE: Freedom of Information Request

I will probably have to see you in person to make sure it is clarified what I need. And not overcharged