



Editor's Note: In the USDOL-OALJ Reporter version of the June 29, 2007 decision, the text for the first erratum is located to page 18, second paragraph, sentence 2. The text for the second erratum is located on page 20.

**In the Matter of:**

**CURTIS C. OVERALL,**

**ARB CASE NO. 04-073**

**COMPLAINANT,**

**ALJ CASE NO. 1999-ERA-25**

**v.**

**DATE: July 16, 2007**

**TENNESSEE VALLEY AUTHORITY,**

**RESPONDENT.**

**BEFORE: THE ADMINISTRATIVE REVIEW BOARD**

**ERRATA**

The Administrative Review Board (ARB) issued its Final Decision and Order (F. D. & O.) in this case arising under the Energy Reorganization Act<sup>1</sup> on June 29, 2007, dismissing the Complainant's complaint. However, the F. D. & O. contains an erroneous date of September "4" at page 17, third paragraph, second sentence, and an erroneous sentence at page 19, first full paragraph, third sentence. Accordingly, we issue this Errata to correct the erroneous date at page 17 by correcting it to September "9," and to correct the erroneous sentence at page 19 by replacing it as follows:

OIG considered setting up a night vision camera near Overall's home and installing a recording device on his telephone. T. 1480-82, 1563-65; CX 258; R. D. & O. at 46, 90. OIG ultimately decided against installing a camera because it could not be installed surreptitiously; it would have had to have been situated on a neighbor's property after OIG obtained his or her permission; and its recording tape would require frequent changes, which would be obvious to anyone watching. T. 1565-66. OIG also decided that they did not need to install a recording device on Overall's telephone because his caller identification

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<sup>1</sup> 42 U.S.C.A. § 5851 (West 2003).

system was sufficient and he was providing OIG with the recorded information and a description of the call. T. 1566-67, 1704.

We reissue the F. D. & O. as corrected. In all other respects, the ARB's June 29, 2007 F. D. & O. remains the same.

**SO ORDERED.**

**OLIVER M. TRANSUE**  
**Administrative Appeals Judge**

**M. CYNTHIA DOUGLASS**  
**Chief Administrative Appeals Judge**