



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

PUBLIC AFFAIRS

November 25, 2011

In reply refer to: DK-7

Benjamin D. Johnson, Esq.
Bennett, Tueller, Johnson & Deere
3165 East Millrock Drive, Suite 500
Salt Lake City, UT 84121

FOIA #BPA-2012-00194-F

Dear Mr. Johnson:

Thank you for your request for records that you made to the Bonneville Power Administration (BPA), under the Freedom of Information Act (FOIA), 5 U.S.C. 552. Your letter was received in this office on Friday, October 28, 2011, and has been assigned a control number, BPA-2012-00194-F. Please use this number in any correspondence with the Agency about your request.

You have requested the following:

A copy of all un-redacted documents concerning the Auspurger Mountain Radio Station Fiber Upgrade Contract, Contract No. 00048810 dating from November 30, 2010 to October 28, 2011:

1. All job site meeting minutes
2. All job site inspection reports
3. All payment and performance
4. All contracts between BPA
5. All correspondence, including, but not limited to emails, between and among BPA, Intelepoint, LLC and Robinson Brothers Construction, Inc., and their employees or attorneys, including, but not limited to Glenn Nishida, Jared Perez, Glenn Van Bergen, Chris Gorman, Craig Sorenson, Brad Cheney, Mike Rakoz, Mike Silvey, John Bradach, and David Leatherwood relating to the Augspurger project including, but not limited to, correspondence relating to Black Pine Directional, Inc., differing site conditions at the project, and/or equitable adjustments requested at the project
6. All directives or orders issued by BPA relating to performing or continuing to perform work at the project
7. All documents submitted to BPA by Intelepoint, LLC and/or Robinson Brothers Construction, Inc. including, but not limited to, documents submitted concerning differing site conditions and equitable adjustments requested at the Augspurger project
8. All reports and documents relating to investigations conducted by BPA on differing site conditions at the Augspurger project

9. All geo-technical reports or investigations relating to Augspurgen Mountain and the subject contract
10. All documents relating to a determination of job completion percentages at the project, specifically including, but not limited to, job completion percentages assigned to boring on the Augspurgen project
11. Current cost reference guides used by BPA
12. All documents relating to the work performed by APEX at the Augspurgen Project
13. All documents relating to boring or drilling performed at the Augspurgen Project
14. All notices submitted to BPA by Intelepoint, LLC and/or Robinson Brothers Construction, Inc. including, but not limited to, notices of differing site conditions or notices concerning equitable adjustments
15. All photographs of the Augspurgen Project
16. All payment applications submitted to BPA by Intelepoint, LLC and/or Robinson Brothers Construction, Inc.
17. All payments made by BPA to Intelepoint, LLC and/or Robinson Brothers Construction, Inc.
18. All directives or orders to disturb site conditions or to continue with drilling and/or boring after Black Pine Directional, Inc., provided its notice of differing site conditions on September 30, 2010
19. All preconstruction meeting reports
20. All communications between Kevin Bell or Randy Roach with Glenn Nishida or any BPA personnel relating to the Augspurgen Project
21. All documents relating to Glenn Nishida meeting with Black Pine Directional, Inc.
22. All records relating to contract modifications between the BPA and Intelepoint, LLC
23. All reports regarding Black Pine Directional, Inc. claim to differing site conditions
24. All investigations relating to the site conditions at the Augspurgen project
25. All records relating to the BPA engaging in an informal claims process with Intelepoint, LLC, Robinson Brothers Construction, and Black Pine Directional, Inc. regarding the Augspurgen project
26. All waivers or releases signed by Intelepoint, LLC or Robinson Brothers Construction relating to the Augspurgen project
27. All internal correspondence (including emails) among BPA personnel regarding the Augspurgen project
28. All documents which establish that the BPA has paid Intelepoint, LLC in full for the work it performed at the Augspurgen Project
29. All bids the BPA received by any contractor, including Intelepoint, LLC for the Augspurgen Mountain Radio Station Fiber Upgrade Contract No. 00048810
30. All recordings of any communications between the BPA, Robinson Brothers Construction, Intelepoint, LLC or Black Pine Direction, Inc
31. All reports relating to the Augspurgen project
32. All records relating to the boring specifications, bore paths, or bore profiles utilized by Apex at the Augspurgen project
33. Records of any payment for work performed by Apex at the Augspurgen Project

34. All records relating to the government approval and funding of the Augspurgen Project
35. All photographs of boring performed by Apex at the Augspurgen Project
36. All records relating to the costs to complete the Augspurgen Project
37. All communications between Kevin Bell or Randy Roach with Carter Mann, Esq. or John Bradach, Esq.
38. All records relating to any equitable adjustment given at the Augspurgen project
39. BPA's entire file relating to the Augspurgen project

We have reviewed your letter and have determined that it addresses all of the criteria of a proper request under the FOIA, DOE, and BPA regulation that implements the FOIA at Title 10, Code of Federal Regulations, Part 1004. You have agreed to pay up to \$500 in fees associated with the FOIA.

Glenn Nishida, Contract Administrator, is the designated Authorizing Official for your request. BPA has twenty (20) working days to respond to your request.

I appreciate the opportunity to assist you. Please contact Laura M. Atterbury, FOIA/Privacy Act Specialist at 503-230-7305 with any questions about this letter.

Sincerely,

/s/Christina J. Munro

Christina J. Munro
Freedom of Information Act/Privacy Act Officer



Department of Energy

Bonneville Power Administration
P.O. Box 3621
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PUBLIC AFFAIRS

December 7, 2011

In reply refer to: DK-7

Benjamin D. Johnson, Esq.
Bennett, Tueller, Johnson & Deere
3165 East Millrock Drive, Suite 500
Salt Lake City, UT 84121

FOIA #BPA-2012-00194-F

Dear Mr. Johnson:

Bonneville Power Administration (BPA) is taking an allowed ten working-day extension starting today, Thursday, December 1, 2011, in order to complete your FOIA request.

The new target date for your response is Wednesday, December 14, 2011. I appreciate the opportunity to assist you. Please contact our office at (503) 230-7305 with any questions about this letter.

Sincerely,

Christina J. Munro
Freedom of Information Act/Privacy Act Officer