



## Department of Energy

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

PUBLIC AFFAIRS

July 24, 2012

In reply refer to: DK-7

ABB, Inc.  
Attn: Scott Johnson  
10 Monticello Drive  
Lake Oswego, OR 97035

### FOIA #BPA-2012-00862-F

Dear Mr. Johnson:

This is the final response to the request for records that you made to the Bonneville Power Administration (BPA) under the Freedom of Information Act (FOIA), 5 U.S.C. 552.

#### **You have requested the following:**

Contract issued to Hyundai Heavy Industries on November 13, 2009, for Lot 2, 230kV transformers, to include unit pricing for each transformer rating available for purchase under the contract, the quantity of each rating purchased to date, the expiration date of the contract, and contract time extension options.

#### **Response:**

BPA has provided the responsive records on the enclosed CD. Some information has been withheld under Exemption 4 of the FOIA.

Under Exemption 4 of FOIA, information may be exempt from disclosure if it is "commercial" in nature, is "obtained [by BPA] from a person (Hyundai Heavy Industries)," and is "privileged or confidential." Here, there is no question that the redacted information in the contract is commercial in nature and that BPA obtained it from Hyundai Heavy Industries.

Hyundai Heavy Industries provided an adequate basis in its response to support its claim that their manufacturing information is a trade secret. Also, that its unit pricing information is not made generally available to the public, and that release of this information will do Hyundai Heavy Industries competitive harm.

Pursuant to 10 CFR 1004.8, if you are dissatisfied with this determination, or the adequacy of the search, you may appeal in writing within 30 calendar days of receipt of a final response letter. The appeal should be made to the Director, Office of Hearings and Appeals, HG-1, Department

**Do to the size of the responsive documents they cannot be posted. To obtain a copy please contact the BPA FOIA Office at 503-230-7305.**

of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-1615. The written appeal, including the envelope, must clearly indicate that a FOIA Appeal is being made.

Due to the length of time it took to complete the Exemption 4 review process, BPA is not charging fees for this request.

I appreciate the opportunity to assist you. Please contact Kim Winn, Communications Specialist at 503-230-5273 with any questions about this letter.

Sincerely,

*/s/Christina J. Munro*

Christina J. Munro

Freedom of Information Act/Privacy Act Officer

Enclosure: CD