

From: "The Official Website of the Governor of Vermont" <vt-cms-support@egov.com>

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To: "governorvt@state.vt.us" <governorvt@state.vt.us>

Subject: Form submission from: Send a Message to Governor Peter Shumlin

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Energy

September 16, 2015

Dear Governor Peter Shumlin and all of the Governor's office staff for any and all e-mail communications between the principals and staff of those agencies and the applicant of the Swanton Wind Project,

Pursuant to Vermont's Access to Public Records Act, 1 V.S.A. §§ 315-320, I hereby request copies of all letters, reports, studies and other writings, including electronic mail, telephone logs, and other documentation, issued, produced, recorded, or received by your Agency in regards to the Swanton Wind Project, John Zimmerman, Martha Staskus, David Blittersdorf and applicant Travis Belisle from July 2014 to the date of this request.

This request includes, but is not limited to, communications received or sent on a private email account or private text messaging account. If no responsive records exist, then state this fact in your response. If any part of these requests is denied, please list the specific criteria you are relying on for the denial, as well as the name and title of the person responsible for the denial.

The Vermont Public Records Act is to be "liberally construed ... and the burden of proof" is on the agency to justify any refusal to produce records. 1 V.S.A. § 315. Absent a valid legal exemption, this law compels the production of documents and correspondence relating to official state business. If such records exist and you do not intend to comply with this request, please inform me immediately so that I may pursue an appropriate legal remedy. Meantime, you should ensure these public records are preserved. 1 V.S.A. § 320 (Destruction of public records is prohibited by law).

Pursuant to the Public Records Act, please also do the following:

- Produce these documents promptly or certify within two business days why you are denying me access to them or any particular documents (this time limit may be extended only under certain conditions as outlined in 1 V.S.A. § 318);
- If you believe an otherwise public record is exempt from disclosure, produce a log with the page numbers of the documents, the date of the document, the people or entities who received copies, the authors of the document and a specific explanation (citing to the applicable exemption) for why a document has not been produced;

- If an otherwise public record has a portion that is exempt from disclosure, redact any exempt portion and release the redacted document together with a log (as described in the previous bullet);
- Inform me of the appeal procedures available to me if you withhold any documents;
- If you are unable to copy any material, identify the material and notify me when it will be available for my inspection; and
- Provide a written reply to this request.

I am willing to pay reasonable production fees, if necessary, but please call or email me first with an estimate as to the costs to produce these documents. Thank you for your assistance with this matter and I look forward to your response. If you have any questions, I can be reached at 802 527 1834.