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David Morenoff, Esq.
Acting General Counsel
Federal Energy Regulatory Commission
Room 10A-01
888 First Street, NE
Washington, DC 20426

VIA Email: david.morenoff@ferc.gov

Re: Appeal- Sabal Trail Proposed Methane Gas Pipeline/ **Freedom of Information Act**
Request Dated January 2, 2014 Request # FOIA-2014-28

Dear Mr. Morenoff,

I am in receipt of FERC's response to my expedited FOIA request dated January 10, 2014. I must object to FERC'S application of FOIA exemption 6 to the names and mailing addresses for the individuals affected by this gas pipeline. It is my opinion that there is no privacy interest in the mere name and mailing address of an individual, particularly where, as here, Sabal Trail and Spectra energy has already used them numerous times to send unsolicited letters, invitations, and demands to survey. If Sabal Trail and Spectra energy are not guilty of invasion of privacy, why isn't the public need to know and educate equally if not more important? The public right to know who is affected, to become educated, and to understand what is at stake ought not to be left to a private energy corporation that stands to make millions of dollars by getting this project approved with the least amount of resistance from landowners. FERC'S refusal to release these names and mailing addresses ensures that Sabal Trail and Spectra Energy are the only ones with the ability to contact these individuals (which they have done numerous times) and "educate them" as to this particular pipeline project.

In the Act generally, and *particularly under Exemption (6)*, there is a strong presumption in favor of disclosure." Local 598 v. Department of Army Corps of Engineers, 841 F.2d 1459, 1463 (9th.

Cir. 1988) (emphasis added). In that case, the Ninth Circuit reviewed the context of applicable Exemption 6 case law:

The Freedom of Information Act embodies a strong policy of disclosure and places a duty to disclose on federal agencies. As the district court recognized, 'disclosure, not secrecy, is the dominant objective of the Act.' Department of the Air Force v. Rose, 425 U.S. 352, 361, 96 S.Ct. 1592, 1599, 48 L.Ed.2d 11 (1976). 'As a final and overriding guideline courts should always keep in mind the basic policy of the FOIA to encourage the maximum feasible public access to government information....' Nationwide Bldg. Maintenance, Inc. v. Sampson, 559 F.2d 704, 715 (D.C.Cir.1977). As a consequence, the listed exemptions to the normal disclosure rule are to be construed narrowly. See Rose, 425 U.S. at 361, 96 S.Ct. at 1599. *This is particularly true of Exemption (6). Exemption (6) protects only against disclosure which amounts to a 'clearly unwarranted invasion of personal privacy.'* *That strong language 'instructs us to 'tilt the balance [of disclosure interests against privacy interests] in favor of disclosure.'*"

Id. (emphasis added), citing Washington Post Co. v. Department of Health and Human Servs., 690 F.2d 252, 261 (D.C.Cir.1982) (quoting Ditlow v. Shultz, 517 F.2d 166, 169 (D.C. Cir.1975)).

I am of the opinion that there is too much secrecy and stealth attached to this project. I am also of the opinion that FERC, a public agency, cannot protect Sabal Trail and Spectra Energy's proprietary interest in the landowner lists (there is no true privacy interest). All of the information in the landowner lists is public record; Sabal Trail's detailed pipeline map is not. (The maps they disseminate look like a bad Florida diner placemat- you cannot really tell where the pipeline is by street, city or landowner.) FERC, by denying this information to the public, is delaying public education on the pipeline and its builder and operator, Spectra Energy. It's bad enough that Sabal Trail and Spectra Energy get to perform their own environmental impact tests by paying a private company. Your refusal to release the landowner lists has effectively made them in charge of public education as well. I will await your reply.

Very truly yours,

B. Gordon

Beth Gordon, Esq,
President, SpectraBusters.org