

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

MICHAEL MABEE, )  
 )  
 Plaintiff, )  
 ) Civil Action No. 19-3448 (KBJ)  
 v. )  
 )  
 FEDERAL ENERGY REGULATORY )  
 COMMISSION, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

**DEFENDANT FEDERAL ENERGY REGULATORY COMMISSION'S  
OCTOBER 7, 2020 STATUS REPORT**

Pursuant to the Court's January 28, 2020 Minute Order, Defendant Federal Energy Regulatory Commission ("FERC") respectfully submits the following Status Report regarding the processing of the FOIA requests at issue in the above-referenced matter.

**Relevant Background**

1. The above-captioned case concerns three (3) Freedom of Information Act ("FOIA") requests filed by Plaintiff Michael Mabee ("Plaintiff") seeking the identities of Unidentified Registered Entities ("URE") associated with numerous FERC Notice of Penalty dockets.
2. On January 28, 2020, the Court issued a Minute Order ("Jan. 28th Order") directing FERC to "process a minimum of 10-15 dockets per month and . . . issue a response to Plaintiff's FOIA requests on the 30th day of each month . . . until production is complete."
3. The Jan. 28th Order also requires FERC to file a monthly status report regarding the processing of Plaintiff's FOIA requests on the 7th day of each month.

### **Status Report**

4. On September 23, 2020, FERC issued a Submitter's Rights Letter/Notice of Opportunity to Comment to the North American Electric Reliability Corporation and the relevant URE(s) with respect to NP11-223 and NP11-251. FERC anticipates making a determination as to these dockets shortly.

5. On September 25, 2020, FERC provided Plaintiff with a response to his FOIA requests as to the following eleven (11) dockets: NP11-237; NP12-3; NP12-4; NP12-9; NP12-11; NP13-11; NP13-16; NP13-18; NP13-19; NP13-22; and NP13-28.

6. Based on its internal assessments, FERC denied the release of the URE identities associated with the foregoing eleven (11) dockets. *See* Joint Status Report, Doc. 9 at ¶¶ 10-14.

7. FERC anticipates that it will process ten (10) or more additional dockets during the month of October and will file a Joint Status Report on Monday, November 9, 2020.

Dated: October 7, 2020

Respectfully submitted,

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