

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
MAY 7, 2021 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 and related 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. As required by the Court's Order, FERC processed ten dockets during the month of April 2021, including (as detailed below) releasing the URE identities associated with two dockets and denying release of the URE identities associated with eight dockets.

5. On April 20, 2021, FERC issued a Notice of Intent to release the public version of the Notices of Penalty associated with Docket Nos. NP11-149 and NP11-47, along with the names of the relevant UREs inserted on the first page.

6. On April 29, 2021, FERC issued a Release Letter, disclosing the identities of the UREs associated with NP11-149 and NP11-47 on the first pages of the public version of the Notices of Penalty.

7. On April 29, 2021, FERC provided Plaintiff with a response to his FOIA requests as to the following eight (8) dockets: NP16-20; NP16-23; NP16-24; NP15-5; NP15-6; NP15-9; NP15-10; and NP15-11. Based on its internal assessments, see Joint Status Report, Doc. 9 at ¶¶ 10-14, FERC denied the release of the URE identities associated with the foregoing eight (8) dockets.

8. FERC anticipates that it will process ten (10) or more additional dockets during the month of May 2021 and will file a Status Report on Monday, June 7, 2021.

Dated: May 7, 2021

Respectfully submitted,

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