

**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’S STATUS REPORT

Pursuant to the Court’s January 28, 2020 Minute Order, Defendant the Federal Energy Regulatory Commission (“FERC”), by and through its undersigned counsel, submits the following Status Report in the above-referenced matter.

Joint Statement Regarding Relevant Background and Status

1. The above-captioned case concerns three (3) Freedom of Information Act (“FOIA”) requests filed by Plaintiff seeking the identities of Unidentified Registered Entities (“URE”) associated with numerous FERC Notice of Penalty (“NOP”) dockets.
2. On January 28, 2020, the Court issued a Minute Order (“January 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 January 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.
4. Finally, beginning March 7, 2020, the January 28th Order requires the parties to meet, confer, and file a Joint Status Report, and thereafter every third month.
5. The parties have been in compliance with the Minute Order since its issuance.

**Processing of Dockets
During July 2021**

6. On July 23, 2021, FERC provided Plaintiff with a determination as to the following five (5) additional dockets:
- | | |
|---------|---------|
| NP16-18 | NP17-12 |
| NP18-22 | NP18-26 |
| NP15-23 | |
7. On July 28, 2021, FERC provided Plaintiff with a determination as to the following five (5) additional dockets:
- | | |
|---------|---------|
| NP13-57 | NP13-29 |
| NP13-6 | NP13-27 |
| NP13-5 | |
8. Based on its internal assessments, FERC denied the release of all of the URE identities associated with the foregoing ten (10) dockets. *See* Joint Status Report, Doc. 9 at ¶¶ 10-14 (describing assessment process).
9. FERC anticipates that it will process ten (10) or more additional dockets during the month of August, and will file its next status report on Tuesday, September 7, 2021.

Dated: August 5, 2021

Respectfully submitted,

Channing D. Phillips, D.C. Bar No. 415793
Acting United States Attorney

BRIAN HUDAK
Acting Chief, Civil Division

By: April Denise Seabrook
APRIL DENISE SEABROOK, D.C. Bar No. 993730
Assistant United States Attorney
555 4th Street, N.W.
Washington, D.C. 20530
(202) 252-2525
April.Seabrook@usdoj.gov

Counsel for Defendant