

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MICHAEL MABEE,)
)
 Plaintiff,)
)
 v.)
)
 FEDERAL ENERGY REGULATORY)
 COMMISSION,)
)
 Defendant.)
 _____)

Civil Action No. 19-3448 (KBJ)

**DEFENDANT, FEDERAL ENERGY REGULATORY COMMISSION’S,
OCTOBER 7, 2021 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, respectfully submits the following Status Report.

Statement Regarding Relevant Background and Status

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 and the parties to file a joint status report every third month.

**Defendant's Status Report Regarding Processing of Dockets
During September 2021**

NP15-18

4. On September 21, 2021, FERC provided Plaintiff with a response to his FOIA requests as to the following docket: NP15-18. 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 docket.

NP11-199

5. On September 15, 2021, FERC staff notified the North American Electric Reliability Council ("NERC"), as well as one URE associated with NP11-199, of the request and provided an opportunity to comment pursuant to 18 C.F.R. § § 388.112. FERC staff anticipates issuing a Notice of Intent to Release as to this docket and the associated URE in the next week.

RC12-10, RC13-3, RC12-12, RC12-7, NP15-18, RC12-1, RC12-16, RC12-13, and RC12-15

6. During the month of September 2021, FERC subject matter expert(s) conducted the analysis component of the following dockets and associated UREs: RC12-10, RC13-3, RC12-12, RC12-7, NP15-18, RC12-1, RC12-16, RC12-13, and RC12-15.

Other Issues

7. As noted by Defendant in the September 7, 2021 Joint Status Report, *see* ECF Doc. No. 30, at ¶ 12, Defendant is seeking an extension with respect to the processing of dockets in this matter. In this regard, Defendant is filing its motion for order amending scheduling order and for extension to complete processing of remaining dockets.

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Dated: October 7, 2021

Respectfully submitted,

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BRIAN P. HUDAK
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