

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

MICHAEL MABEE,)

Plaintiff,)

v.)

FEDERAL ENERGY REGULATORY)
COMMISSION,)

Defendant.)

Civil Action No. 19-3448 (FYP)

**DEFENDANT FEDERAL ENERGY REGULATORY COMMISSION'S
NOVEMBER 8, 2021 STATUS REPORT**

Pursuant to the Court's January 28, 2020 Minute Order, as amended by the Court's October 19, 2021 Order, *see* ECF Docket No. 35, 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." 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.

3. Following FERC's filing of its Emergency Motion to Amend Order Setting Processing Schedule, the Court issued an Order on October 19, 2021, amending the Jan. 28th Order to require Defendant to complete processing of the remaining dockets by January 31, 2022, with the other aspects of the Jan. 28th Order relating to status reports remaining in place. *See* ECF Docket No. 35.

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

RC13-3

4. On October 19, 2021, FERC staff notified NERC, as well as certain UREs associated with RC13-3, of the request and provided an opportunity to comment pursuant to 18 C.F.R. § § 388.112.

RC12-15

5. On October 19, 2021, FERC staff notified NERC, as well as certain UREs associated with RC12-15, of the request and provided an opportunity to comment pursuant to 18 C.F.R. § § 388.112.

NP11-199

6. On September 15, 2021, FERC staff notified NERC, as well as certain UREs associated with NP11-199, of the request and provided an opportunity to comment pursuant to 18 C.F.R. § § 388.112.

7. On October 19, 2021, FERC staff issued a Notice of Intent to Release with Respect to one URE associated with NP11-199.

8. On October 29, 2021, FERC staff issued a Release Letter with respect to NP11-199, along with a copy of the public docket with the name of one relevant URE inserted therein.

NP13-23

9. On August 17, 2021, FERC staff notified NERC, as well as one URE(s) associated with NP13-23, of the request and provided an opportunity to comment pursuant to 18 C.F.R. §§ 388.112.
10. On October 4, 2021, FERC staff issued a Notice of Intent to Release with Respect to one URE associated with NP13-23.
11. FERC staff anticipates releasing the identity of one URE associated with NP13-23 during the month of November, 2021.

Proposed Next Steps

12. Pursuant to the Court's January 28, 2020 Minute Order, the parties will meet, confer, and file a Joint Status Report by December 7, 2021.

Dated: November 8, 2021

Respectfully submitted,

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