

From: GAO <info@govoversight.org>
Sent: Wednesday, July 12, 2023 1:14 PM
To: Sala, Natasha <Natasha.Sala@vermont.gov>; AGO - Info <AGO.Info@vermont.gov>
Cc: Joe Thomas <joe@govoversight.org>
Subject: REQUEST UNDER THE VERMONT PUBLIC RECORDS ACT

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EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

July 12, 2023

Vermont Attorney General's Office
109 State Street
Montpelier, VT 05609-1001

By Electronic mail: ago.info@vermont.gov, natasha.sala@vermont.gov

Re: Certain described records already selectively released

To Whom it May Concern:

On behalf of Government Accountability & Oversight (GAO) — a non-profit public policy organization dedicated to transparency in government and with an active public dissemination and media program — we wrote you by electronic mail on the morning of July 7, 2023, as follows:

We see that "In support of transparent and open government, the Attorney General's Office posts all public record requests and responses on its webpage." However, the link here <https://ago.vermont.gov/sites/ago/files/2023-05/2023-05-19%20Persampieri%20response%20to%20Smith%20w%20docs%2005942.pdf> is to emailed productions of links to two (2) protected Sharepoint folders each apparently titled "Records Produced (Unredacted) HAI Request No. 2". These Links are password-protected ([see eg https://vermontgov.sharepoint.com/:f:/t/AGO-Environmental/EndMIQDwgxNOrZ452NHUZOWBHPW96EmZ8rx47sNS-AHI9w?e=5%3AxAEWcL](https://vermontgov.sharepoint.com/:f:/t/AGO-Environmental/EndMIQDwgxNOrZ452NHUZOWBHPW96EmZ8rx47sNS-AHI9w?e=5%3AxAEWcL)), and therefore not available to the public despite such release being the Office's policy and practice. (the links request the email address to which the folder was sent as the initial threshold, but then request a password, and therefore are not in fact publicly available)

Can you please either provide us with publicly available links to access the records released in response to this request, or inform us why they are not and will not be posted for public access?

Thank you in advance and we look forward to your response.

We received no response to this request. While we do not supplant or in any way rescind that outstanding request, please also consider this request under the Vermont Access to Public

Records Act, Vt. Stat. Ann. Title 1, §§ 315-320, please provide copies of the following records, including any accompanying information, including also any attachments:

Records released on May 19, 2023 to Annabelle Smith ASmith@historyassociates.com (as shown as having been released at <https://ago.vermont.gov/sites/ago/files/2023-05/2023-05-19%20Persampieri%20response%20to%20Smith%20w%20docs%2005942.pdf>). We seek the records released to Ms. Smith/History Associates on that date, apparently (but whether or not) via links to two (2) protected Sharepoint folders.^[1]

We understand that in some instances a public body may charge a fee for the cost of the search, examination, review, copying, separation of confidential from nonconfidential information, and mailing costs. This search, copying and compilation has already occurred, and our request is for a copy of records already released as described, above. If your Office expects to seek a charge associated with the searching, copying or production of these records, please provide an estimate of anticipated costs and justification given this.

As noted earlier in this request, GAO is a non-profit public policy organization dedicated to informing the public of developments in the area of energy and environmental issues and relationships between governmental and non-governmental entities as they relate to those issues. GAO's ability to obtain fee waivers is essential to this work. GAO intends to use any responsive information to continue its work highlighting the nexus between interested non-governmental entities and government agency decision-making. The public is both interested in and entitled to know how regulatory, policy and enforcement decisions are reached. GAO ensures the public is made aware of its work and findings via media, its websites govoversight.org and climatelitigationwatch.org dedicated to broadly disseminating energy and environmental policy news and developments. The public information obtained by GAO have been relied upon by established media outlets, including the Washington Times and Wall Street Journal editorial page.

GAO looks forward to your response. In the event you have any questions, please feel free contact me at the below email address. Thank you for your prompt attention, time and consideration to this matter.

Respectfully submitted,

Joe Thomas

Joe@govoversight.org

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On Fri, Jul 7, 2023 at 5:16 AM GAO <info@govoversight.org> wrote:

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