

## UCEA PUBLIC RECORDS POLICY – Effective February 1, 2017

Pursuant to Tenn. Code Ann. § 10-7-503(g), the following Public Records Policy for the Union City Energy Authority, (“UCEA”) is hereby adopted by the Board of Directors in order to provide economical and efficient access to public records as provided under the Tennessee Public Records Act, Tenn. Code Ann. § 10-7-501, et seq.

The Tennessee Public Records Act (“TPRA”) provides that all state, county, and municipal records shall, at all times during business hours, be open for personal inspection by any citizen of the State of TN, and those in charge of the records shall not refuse such a right of inspection to any citizen, unless otherwise provided by state law. See Tenn. Code Ann. § 10-7-503(a)(2)(A). Accordingly, the public records of UCEA are presumed to be open for inspection unless an exemption is otherwise provided by law.

Personnel of UCEA shall provide access and assistance in a timely and efficient manner to persons requesting access to public records. No provisions of this Policy shall be used to hinder access to open public records. However, the integrity and organization of public records, as well as the efficient and safe operation of UCEA, shall be protected as provided by current law. Concerns about the provisions or enforcement of this Policy should be addressed to the Public Records Request Coordinator or to the Tennessee Office of Open Records Counsel.

This policy shall be applied consistently throughout all divisions of the UCEA as listed below:

Electric Division  
Broadband Division

The UCEA will respond promptly to public record requests upon proof of Tennessee citizenship by presentation of a valid Tennessee Driver’s License.

### I. Definitions:

**Records custodian:** The office, official or employee lawfully responsible for the direct custody and care of a public record. See Tenn. Code Ann. § 10-7-503(a)(1)(C). The records custodian is not necessarily the original preparer or receiver of the record.

**Public records:** As defined in Tenn. Code Ann. § 10-7-503(a)(1)(A): “public record or records” means all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency.

**Public Records Request Coordinator (PRRC):** The individual identified in Section III of this policy who has the responsibility to ensure public record requests are routed to the appropriate records custodian and are fulfilled in accordance with the TPRA. See Tenn. Code Ann. § 10-7-503(a)(1)(B). The public records request coordinator may also be a records custodian.

**Redacted record:** A public record otherwise open for public inspection from which protected or confidential information is removed or made obscured prior to release or inspection.

**Requester:** A Tennessee citizen requesting access to a public record, whether inspection or duplication.

### II. Making Public Record Requests

All public record requests shall be made to a Public Records Request Coordinator (“PRRC”) or his/her designee in order to ensure public record requests made pursuant to the TPRA are routed to the appropriate records custodian and fulfilled in a timely manner.

1. Requests for inspection shall be made at UCEA’s office location at 312 N Division Street, Union City, TN.
2. Requests for copies shall be made in writing using a form provided by UCEA.

### III. Responding to Public Records Requests

The designated PRRC/Records Custodian(s) for UCEA is the current CFO or other designated employee.

Upon receiving a public records request, the PRRC/Records Custodian shall make requested Open public record available as promptly as practicable in accordance with Tenn. Code Ann. § 10-7-503.

If it is not practicable to promptly provide requested records because additional time is necessary to determine whether the requested records exist, to gain access to records, to determine whether the records are open, or for other similar reasons, the PRRC/Records Custodian shall, within seven (7) business days from the receipt of the request, send the requestor a completed **Public Records Request Response Form** explaining the delay.

1. A PRRC/Records Custodian shall review public record requests and make an initial determination of the following:
  - If the requestor has provided evidence of Tennessee citizenship;
  - If the records requested are described with sufficient specificity to identify them;
  - If UCEA is the custodian of the records requested.
2. The PRRC/Records Custodian shall acknowledge receipt of the request and take the following appropriate action(s):
  - a. Advise requestor of the UCEA’s Public Records Policy regarding:
    - i. Citizenship
    - ii. Form(s) required for copies
    - iii. Fees
    - iv. Aggregation
  - b. Deny the request in writing if an appropriate ground applies, such as the following:
    - i. Requestor is not a Tennessee citizen;
    - ii. Request lacks specificity (offer to assist in clarification);
    - iii. Exemption makes the record not subject to disclosure under the TPRA (provide the exemption in the denial);
    - iv. UCEA is not the custodian of the requested record(s). If the records relate to another governmental entity and the PRRC is aware of the correct entity, advise the requestor of the appropriate avenue.
3. Redaction:

If a record contains confidential information or information that is not open for public inspection, the PRRC/Records Custodian shall prepare a redacted copy prior to providing access and may coordinate with UCEA’s lawyer for review and redaction of records. Whenever a redacted record is provided, the basis for redaction shall be provided to the requestor.

#### **IV. Confidential Records - Tenn. Code Ann. § 10-7-504.**

1. Private records of any utility shall be treated as confidential and shall not be open for inspection by the public. "Private records" includes credit card numbers, social security numbers, tax identification numbers, financial institution account numbers, burglar alarm codes, security codes, access codes, and consumer-specific energy and internet services and usage data except for aggregate monthly billing information. Information made confidential by this section shall be redacted so that the otherwise public information may be accessed.
2. Identifying information compiled and maintained by a utility service provider concerning a person who has obtained a valid protection document shall be treated as confidential and not open for inspection by the public.

"Identifying information" includes the home and work address, telephone number(s), social security numbers, and any other information that could reasonably be used to locate the whereabouts of an individual. A copy of the protection document must be presented to UCEA by the person to whom it was granted. The identifying information shall remain confidential until the person who requested such confidentiality notifies UCEA that there is no longer a need for such information to remain confidential.

3. The telephone number, address and any other information which could be used to locate the whereabouts of a domestic violence shelter, family safety center, or rape crisis center shall be treated as confidential upon the director of the shelter/center giving written notice to UCEA.
4. The following personnel records in the possession of UCEA shall be treated as confidential:
  - Social Security number;
  - Home telephone and personal cell phone numbers;
  - Individual bank account, Health Savings account, retirement/pension account information;
  - Residential information including street address, city, zip code;
  - Driver's license information, except where driving or operating a vehicle is part of the employee's job description/duties;
  - Information concerning immediate family members, whether or not the immediate family member resides with the employee;
  - Personal, nongovernment issued, email address.

Examples of personnel records that are open to public access include:

- Applications
- Disciplinary reports
- Personnel Investigations

#### **V. Inspection of Record**

1. There is no charge for inspection of open public records.
2. UCEA requires an appointment for inspection of records.
3. The location for inspection of records will be specified by the PRRC/Records Custodian.

#### **VI. Copies of Records**

1. The PRRC/Records Custodian shall respond to a public record request for copies in the most economic and efficient manner practicable.

2. Upon payment of appropriate fees, copies will be available for pickup at the UCEA's office located at 312 N Division Street, Union City, TN.
3. If copies are requested to be mailed, upon payment of postage and any other applicable fees, records will be mailed to the requestor's home address by US Postal Service.
4. A requestor will not be allowed to make copies of records with personal equipment. If copies are to be downloaded to a storage device, the storage device must be purchased at UCEA based on current prices.

**VII. Fees and Charges**

1. Prior to producing copies of records, the PRRC/Records Custodian shall provide requestors with an estimate of the charges to be assessed. Charges shall include:
  - When fees for copies and labor do not exceed \$5.00, the fees will be waived.
  - .15 cents per page for letter and legal sized black and white copies;
  - Labor will be charged when time exceeds one (1) hour and is based on the hourly wage of the employee(s) producing the copies.
  - Postage (if applicable)
2. Payment is to be made to UCEA and presented to the PRRC/Records Custodian.
3. Payment shall be made in advance of producing copies.

# UNION CITY ENERGY AUTHORITY

## PUBLIC RECORDS REQUEST FORM / ESTIMATE FOR COPIES

The Tennessee Public Records Act (TPRA) grants Tennessee citizens the right to access open public records that exist at the time of the request. The TPRA does not require records custodians to compile information or create or recreate records that do not exist.

Are you a Tennessee Citizen:  Yes  No

### **Request:**

Inspection of records (There is no charge for inspection of records)

Copy / Duplicate records (Per page and labor costs apply)

Prepayment is required for copying/duplicating records.

Delivery preference:  On-site pick-up

Postal Service (postage fees apply)

### **Records requested:**

Provide a detailed description of record(s) requested, including 1) type of record, 2) dates needed, 3) subject matter or key words related to the records. *Under the TPRA, records requests must be sufficiently detailed to enable a governmental entity to identify the specific records sought. As such, your record request must provide enough detail to enable the individual responding to the request to identify the specific records you are seeking.*

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\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Requestor

\_\_\_\_\_  
Date of Request

### **For Office Use Only:**

Tennessee Citizenship verified by:  TN Driver's License or  Other: \_\_\_\_\_

(Ex. Photo ID including address; Voter Registration)

Fees / Charges:

	<b><u>ESTIMATE:</u></b>	<b><u>ACTUAL:</u></b>
1. Number of pages/records: (Letter or Legal)		
_____ Black and white X \$0.15 per page =	\$ _____	\$ _____
_____	\$ _____	\$ _____
2. Labor hours:		
_____ at \$ _____ / hour =	\$ _____	\$ _____
_____ at \$ _____ / hour =	\$ _____	\$ _____
3. Postage:	\$ _____	\$ _____
<b>TOTAL:</b>	\$ _____	\$ _____

\_\_\_\_\_  
Signature of PRRC/Records Custodian

\_\_\_\_\_  
Date Received

**Union City Energy Authority  
Union City, TN**

**PUBLIC RECORDS REQUEST RESPONSE**

To: \_\_\_\_\_ Date: \_\_\_\_\_

In response to your records request on \_\_\_\_\_, our office is taking the following action(s):

The public record(s) responsive to your request will be made available for inspection:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Location: Union City Energy Authority, 312 N Division Street, Union City, TN 38261

Copies of public record(s) responsive to your request are:

Available for pickup at 312 N Division Street, Union City, TN 38261

Being delivered via United States Postal Service

Your request has been denied based on the following grounds:

Record(s) do not exist or this office does not maintain the requested record(s).

Request was not sufficiently detailed to enable identification of the specific record(s).

State, federal, or other applicable law prohibits disclosure of the requested record(s).

Prompt availability of the requested records is not practicable for inspection/copy due to:

a determination is still being made that records responsive to your request exist.

UCEA is still in the process of retrieving, reviewing, and/or redacting the requested records.

It is estimated that the amount of time reasonable necessary to properly respond to your request is \_\_\_\_\_.

If you have additional questions regarding your record(s) request, please contact the Public Records Request Coordinator (PRRC) at Union City Energy Authority.

Sincerely,

Union City Energy Authority