

## **BTES PUBLIC RECORDS REQUEST POLICY AND PROCEDURE**

It is the policy of Bristol Tennessee Essential Services ("BTES") to comply with the provisions of the Tennessee public records laws without causing undue interference with business operations of BTES and without causing undue financial burden to BTES ratepayers.

### **GENERAL**

1. BTES will allow inspection of public records during regular business hours, Monday through Friday 8:30 a.m. to 5 p.m., by any citizen of Tennessee. Public records may not be immediately available for public inspection, and BTES will retrieve filed or stored public records as reasonable under the circumstances.
2. Inspection will be permitted under conditions that will prevent alteration or mutilation of the records.
3. BTES will arrange for copying of public records during regular business hours, Monday through Friday, 8:30 a.m. to 5 p.m. upon the request of any citizen of Tennessee. Public records may not be immediately available for copying, and BTES will retrieve filed or stored public records as reasonable under the circumstances.
4. Any record exempted from disclosure by law is not open to the public for inspection.
5. A requestor will not be allowed to make copies of records with any personal equipment including cell phone cameras or cameras. For network security purposes, requests for information may be provided on storage devices (flash drive, CD) provided by BTES only. See costs in Schedule of Charges.
6. If a record contains confidential information or information that is not open for public inspection, that information will be redacted before providing access to that record.
7. The Public Records Request Coordinator (PRRC) is:  
Jennifer Booher, Executive Assistant to the CEO  
P. O. Box 549  
Bristol, TN 37621  
423-793-5501  
423-793-5545 Fax  
jbooher@btes.net

### **REQUEST**

1. Citizens may request information in person, by telephone, fax, mail, or email.
2. State issued photo identification indicating Tennessee address will be required.

### **COST REIMBURSEMENT**

There shall be no charge for inspection of open public records.

It is the policy of BTES to recover, to the extent practical, its actual costs incurred in responding to requests under the public records laws, subject to certain limited exceptions. These costs

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include, but are not limited to, actual costs incurred in retrieving filed or stored records and in copying such records following receipt of a request for copying under the Tennessee public records laws.

After the detailed records request is received, BTES will calculate and provide the requesting party an estimate of the actual costs likely to be incurred, and the requesting party will be required to pay the amount of the estimate as a pre-payment, pending the production of the requested records. Upon the production of the requested records, such pre-payment will be reimbursed to the requesting party, minus BTES's actual charges for fulfilling the request. If the actual costs incurred for the production of the records exceeds the pre-payment amount, the balance should be paid prior to copies of the requested information being provided. BTES will waive the pre-payment requirement for a request by a BTES customer in good standing, which is not covered by an exception in the Schedule of Charges and which is expected to result in actual costs of \$50.00 or less.

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## **SCHEDULE OF CHARGES**

The following schedule of charges applies to BTES's responses to public records requests:

<b>Administrative and Research fees</b>	First hour, * no charge Actual hourly rates for personnel required to do the research after first hour (billed in 1/4-hour increments, with 1/4 hour minimum)
<b>Legal fees</b>	First hour, * no charge \$ 300.00 per hour after first hour (billed in 1/4 hour increments with 1/4 hour minimum)
<b>Copying charges (either 8 ½ X 11 or 8 ½ X 14)</b>	\$.15 per page for black and white copies, \$.50 per page for color copies
<b>Storage Devices</b>	Flash Drive - \$5.00 for 2GB drive CD - \$2.00 for 700MB
<b>Other charges</b>	Actual costs determined by the CEO on individual case basis
<b>Exceptions</b>	There is no charge for a citizen's request for billing or usage information concerning his or her account with BTES within three-year period preceding the request for records. There is no charge for a citizen's request to review minutes of the BTES Board within a one-year period preceding the request for records.

The Schedule of Charges is designed to, as practical and appropriate, recover the actual costs of responding to requests for information under the public records laws. BTES may amend this schedule of charges, in its discretion, from time to time.

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\* Limited to one bona fide public records request per citizen per calendar year.

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## **RECORD REVIEW AND PRODUCTION PROCESS**

### **PROCESS**

#### **REQUESTING PARTY**

1. Submits request to BTES Public Records Request Coordinator requesting access to public records and pays pre-payment, if applicable.

#### **PUBLIC RECORDS REQUEST COORDINATOR**

2. Verifies requesting party is a citizen of Tennessee.
3. Ascertains nature of information requested and, if appropriate, approves request for information. (NOTE: The CEO, in consultation with the General Counsel as needed, will identify any requested records that are exempt from disclosure under applicable state or federal law.).
4.
  - a. Within seven (7) business days from receiving the request the Public Records Request Coordinator shall either: Make the information available to the requestor;
  - b. Deny the request in writing including the basis for denial; or
  - c. Furnish the requestor in writing a best estimate of the time reasonably necessary to produce the information.
5. Notifies appropriate BTES personnel and coordinates gathering of information.
6. Redacts confidential and other information exempt from disclosure requirements, with any necessary assistance from the CEO and the General Counsel.
7. Makes copies, if requested.
8. Forwards copies to CEO.

### **IF RECORDS ARE TO BE INSPECTED**

9. Directs requesting party to viewing area and supervises examination of records as necessary.
10. Returns records to appropriate filing area.

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### **AT COMPLETION OF COPYING AND/OR INSPECTION**

11. Calculates actual costs of BTES to respond to request and either returns balance of pre-payment or requests additional reimbursement.

**Instruction Sheet for**  
**Public Records Request Form**

If you wish to obtain information under the Tennessee public records laws, please:

1. Fill out the attached form
2. Write a check payable to BTES for the pre-payment, if applicable
3. Leave both with the Public Records Request Coordinator or mail or email to:  
Jennifer Booher, Public Records Request Coordinator  
Bristol Tennessee Essential Services  
P.O. Box 549  
Bristol, Tennessee 37621  
jbooher@btes.net

**Bristol Tennessee Essential Services  
Public Records Request Form**

If you are a citizen of the state of Tennessee, and you request to view or copy BTES record(s) you will be allowed to do so to the extent permitted under the Tennessee public records laws, as amended from time to time, and in accordance with the provisions of the BTES Records Request Policy, as amended from time to time.

For the purpose of processing your request, the following information is requested:

Your name: \_\_\_\_\_

Address: \_\_\_\_\_

Tennessee Driver's License No.: \_\_\_\_\_

Voter Registration Card: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Email address: \_\_\_\_\_

BTES Account number: \_\_\_\_\_

Reason for inquiry: \_\_\_\_\_

Organization or person represented: \_\_\_\_\_

Specific records requested: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Inspection of records

\_\_\_\_\_ Copies of records

I certify that I am a citizen of Tennessee. If I am a customer of BTES, I also agree and understand that any unpaid balance resulting from this request will be added to my utility bill after 30 days from the initial billing of this request.

Signature: \_\_\_\_\_

Date & Time: \_\_\_\_\_

**Pursuant to the Tennessee Public Records statute a record of this request will be maintained for a minimum of twelve (12) months.**