

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MICHAEL MABEE,)	
)	
<i>Plaintiff,</i>)	
)	Civil Action No. 19-3448 (KBJ)
v.)	
)	
FEDERAL ENERGY REGULATORY)	
COMMISSION,)	
)	
<i>Defendant.</i>)	
_____)	

JOINT STATUS REPORT

Pursuant to the Court’s January 28, 2020 Minute Order, Defendant the Federal Energy Regulatory Commission (“FERC”) and Michael Mabee (“Plaintiff”), by and through their respective undersigned counsel, submit the following Joint Status Report in the above-referenced matter.

Joint Statement Regarding Relevant Background and Status

1. The above-captioned case concerns three (3) Freedom of Information Act (“FOIA”) requests filed by Plaintiff seeking the identities of Unidentified Registered Entities (“URE”) associated with numerous FERC Notice of Penalty (“NOP”) dockets.
2. On January 28, 2020, the Court issued a Minute Order (“January 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 January 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.
4. Finally, beginning March 7, 2020, the January 28th Order requires the parties to meet, confer, and file a Joint Status Report, and thereafter every third month.

5. The parties have been in compliance with the Minute Order since its issuance.

**Defendant's Status Report Regarding Processing of Dockets
During November 2020 And Other Issues**

6. On November 25, 2020, FERC provided Plaintiff with a determination as to the following ten (10) additional dockets:

NP12-17	NP13-24
NP12-20	NP13-32
NP12-25	NP13-47
NP12-29	NP13-55
NP12-43	NP14-5

7. Based on its internal assessments, FERC denied the release of the URE identities associated with the foregoing ten (10) dockets. *See* Joint Status Report, Doc. 9 at ¶¶ 10-14 (describing assessment process).
8. FERC fully anticipates that it will process ten (10) or more additional dockets during the month of December, and will file its next status report on Thursday, January 7, 2021.
9. On December 4, 2020, FERC provided Plaintiffs' counsel with updated Bates labeled documents; Mabee_FOIA FY19-30_Page_1 through 000128.
10. FERC has no other issues to bring to the Court's attention regarding the litigation at this time.

Plaintiff's Status Report And Other Issues

11. Plaintiff estimates that Defendant has 113 remaining dockets to process. At the present rate of production (ten dockets per month), Plaintiff estimates that all dockets will be processed and all records will be produced by December 2021. Plaintiff estimates, at this time, that Plaintiff will initiate discussions with Defendant about the briefing schedule in October 2021.

Dated: December 7, 2020

Respectfully submitted,

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