

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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

**DEFENDANT FEDERAL ENERGY REGULATORY COMMISSION’S  
JUNE 7, 2021 JOINT STATUS REPORT**

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

**Joint 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.”
3. 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.

**Defendant’s Status Report Regarding Processing of Dockets  
During May 2021**

4. On Wednesday, May 19, 2021, FERC issued a Notice of Intent to Release the public version of spreadsheet Notice of Penalty NP12-10, along with the name of one of the UREs associated with this spreadsheet docket inserted on the first page.<sup>1</sup>

5. On Friday, May 28, 2021, FERC issued a Release Letter, disclosing the identity of one of the UREs associated with spreadsheet NP12-10 on the first page of the public version of the Notice of Penalty.

6. On Wednesday, May 26, 2021, FERC provided Plaintiff with a response as to the remaining UREs contained in spreadsheet NP12-10. Based on its internal assessments, *see* Joint Status Report, Doc. 9 at ¶¶ 10-14, FERC denied the release of the remaining URE identities associated with NP12-10.

*NP11-253*

7. On Friday, May 21, 2021, FERC issued a Notice of Intent to Release the public version of the spreadsheet Notice of Penalty NP11-253, along with the names of certain UREs associated with this spreadsheet docket inserted on the first page.<sup>2</sup>

8. On Friday, May 28, 2021, FERC issued a Release Letter, disclosing the identities of certain UREs associated with NP11-253 on the first page of the public version of the Notice of Penalty.

9. On Wednesday, May 26, 2021, FERC provided Plaintiff with a response as to the remaining dockets contained in spreadsheet NP11-253. Based on its internal assessments, *see* Joint Status Report, Doc. 9 at ¶¶ 10-14, FERC denied the release of the remaining URE identities associated with NP11-253.

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<sup>1</sup> NP12-10 is a spreadsheet Notice of Penalty and contains numerous dockets and associated entities; thus, FERC staff engages in an analysis as to each URE contained in NP12-10.

<sup>2</sup> NP11-253 is a spreadsheet Notice of Penalty and contains numerous dockets and associated entities; thus, FERC staff engages in an analysis as to each URE contained in NP11-253.

*NP14-4; NP14-6; and NP14-14*

10. On Friday, May 21, 2021, FERC provided Plaintiff with a response to his FOIA requests as to the following three (3) dockets: NP14-4; NP14-6; and NP14-14. Based on its internal assessments, *see* Joint Status Report, Doc. 9 at ¶¶ 10-14, FERC denied the release of the URE identities associated with the foregoing three (3) dockets.

*NP17-8; NP17-10; NP17-11; NP17-31; and NP18-21*

11. On Wednesday, May 26, 2021, FERC provided Plaintiff with a response to his FOIA requests as to the following five (5) dockets: NP17-8; NP17-10; NP17-11; NP17-31; and NP18-21. Based on its internal assessments, *see* Joint Status Report, Doc. 9 at ¶¶ 10-14, FERC denied the release of the URE identities associated with the foregoing five (5) dockets.

12. FERC anticipates that it will process ten (10) or more additional dockets during the month of June 2021 and will file a Status Report on Wednesday, July 7, 2021.

Dated: June 7, 2021

Respectfully submitted,

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