

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MICHAEL MABEE,

Plaintiff,

v.

FEDERAL ENERGY REGULATORY
COMMISSION,

Defendant.

Civil Action No. 19-3448

**PLAINTIFF'S OPPOSITION TO DEFENDANT'S EMERGENCY MOTION TO AMEND
ORDER SETTING PROCESSING SCHEDULE**

Defendant Federal Energy Regulatory Commission (hereafter "FERC") has moved the Court for an order delaying processing of responsive records in this Freedom of Information Act (hereafter "FOIA") case. [Document 33].

Plaintiff opposes Defendant's motion. In support of Plaintiff's Opposition, Plaintiff submits the attached Declaration of Michael Mabee.

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A proposed Order is attached.

DATED this this 14th day of October, 2021

Respectfully submitted,

/s/ C. Peter Sorenson

C. Peter Sorenson
DC Bar No. 438089
SORENSEN LAW OFFICE
PO Box 10836
Eugene, Oregon 97440
541-606-9173
petesorenson@gmail.com

Attorney for Plaintiff

or natural disaster causes millions of deaths. The FOIA requests at issue here were made in furtherance of this goal.

3. My conclusion that the federal government and the electric utility industry have not adequately secured the critical electric infrastructure is reasonable in light of the fact that on June 6, 2021 Secretary of Energy Jennifer Granholm confirmed in an interview with CNN that our adversaries have the capability of shutting down the U.S. power grid. My conclusion is also reasonable in light of the decades of Congressional hearings and federal reports discussing the very same threats to the electric grid that have still not been adequately addressed by the government and the industry today.
4. My investigation has revealed that since 2010, the federal government, at the behest of the electric utility industry, has permanently and completely covered up the names of all regulatory violators of “Critical Infrastructure Protection” (CIP) standards under the jurisdiction of the Federal Energy Regulatory Commission (FERC). The Freedom of Information Act requests I have filed, and this subsequent lawsuit, are an effort to end this coverup and allow public, Congressional and state scrutiny on the failings of the present regulatory regime to protect the critical electric infrastructures of the United States.
5. My investigation has also revealed that the North American Electric Reliability Corporation or “NERC” (which was misidentified in Defendant’s October 8, 2021 “Emergency Motion” as the North American Electric Reliability *Council* – a name that has been obsolete since January 1, 2007) has continued to abdicate its enforcement responsibilities under the Energy Policy Act of 2005. Defendant, under the law, is supposed to make sure that NERC does its job as the electric utility industry’s self-regulator, including enforcement of CIP standards which are directly relevant to this lawsuit. Also, directly relevant to this proceeding, is the issue of “Spreadsheet Notice of Penalty” dockets, and “Find Fix Track” dockets and “Compliance Exceptions”, which Defendant now argues constitutes their “emergency.”

6. My investigation has also revealed that this government abetted coverup – and the danger of unaddressed grid security issues – is getting progressively worse and needs immediate public and Congressional attention. The publicly available information on these matters has recently been further reduced at the urging of NERC and the electric utility industry.

7. For example, on September 23, 2020 the staffs of FERC and NERC issued a “Second Joint Staff White Paper on Notices of Penalty Pertaining to Violations of Critical Infrastructure Protection Reliability Standards” (FERC Docket No. AD19-19-000) which further restricted public access to notice of penalty information that had previously been available for over a decade. It is worthy of note that this document was *not* a FERC order but now NERC refers to the “Second Joint Staff Whitepaper” in every notice of penalty as their new reason for withholding the names of violators from the public. The electric utility industry argued vehemently in this FERC docket that public information should be further restricted. Numerous elected and appointed public officials as well as grid security experts argued that there should be more transparency and the names of the violators should be released to the public. In the end, I believe that FERC’s staff was pressured to continue the industry’s coverup of the names of violators. NERC stopped publishing any information on their website regarding regulatory violations of CIP standards. NERC’s website currently notes: “Under the Second Joint Staff White Paper on Notices of Penalty Pertaining to Violations of Critical Infrastructure Protection Reliability Standards (Docket No. AD19-18-000), NERC will no longer publicly post redacted versions of CIP noncompliance filings and submittals.”

8. Another example has to do with the “Spreadsheet Notice of Penalty” dockets, and “Find Fix Track” dockets, as well as “Compliance Exceptions” all of which had largely been concealed from public view by 2021. On October 13, 2021 NERC reported that “Compliance Exceptions are now the primary disposition method for minimal risk issues.” (FERC Docket No. RC11-6-000.)

9. According to a FERC order on February 19, 2015 “NERC explains that the compliance exception process currently is intended to identify minimal risk instances of noncompliance that do not warrant a penalty, which will be recorded and mitigated without triggering a formal enforcement action.” The same FERC order described the “Find, Fix, Track” as “lesser-risk, remediated possible violations of Reliability Standards.” (FERC Docket No. RR15-2-000.)

10. Because Defendant is attempting to mislead the court as to the difficulty it alleges to now be encountering, some definitions would be instructive. According to the definitions in NERC’s Rules of Procedure (Effective: January 19, 2021)
 - a. “Notice of Penalty” [NOP] means a notice prepared by NERC and filed with FERC, following approval by NERC of a Notice or other notification of Confirmed Violation or a settlement agreement, stating the Penalty or sanction imposed or agreed to for the Confirmed Violation or as part of the settlement.
 - b. “Find, Fix, Track and Report” or “FFT” means a streamlined process, addressed in Section 5.2A of Appendix 4C, to resolve minimal or moderate risk, remediated Possible Violations that are not assessed a financial penalty.
 - c. “Compliance Exception” [CE] means a noncompliance that is addressed in Section 3A.1 of Appendix 4C, and is not pursued through an enforcement action under Section 5.0 of Appendix 4C to these Rules of Procedure by a Compliance Enforcement Authority.
 - d. “Spreadsheet NOPs” [SNOP]. According to NERC’s February 23, 2021 Compliance Monitoring and Enforcement Program Annual Report, NERC’s Regional Entities “used the SNOP disposition to resolve minimal and moderate risk noncompliance that did not pose an elevated risk to the BPS [Bulk Power System] but were not otherwise appropriate for FFT or CE treatment. Violations involving repetitive conduct, excessive durations, or a lack of commitment to compliance may not be appropriate

for CE or FFT treatment despite posing minimal or moderate risks to reliability or security.”

11. For the last several years, NERC has been moving away from issuing “Notices of Penalty” towards treating more and more violations with Spreadsheet NOPs, Find, Fix, Track or Compliance Exceptions. One reasonable view is that NERC is abdicating its enforcement responsibilities through the use of (and withholding from the public information about) “Spreadsheet Notice of Penalty” dockets, and “Find Fix Track” dockets, as well as “Compliance Exceptions.” Obviously, the electric utility industry prefers this lighter regulatory touch. In order for the public, Congress and state regulators to evaluate whether the current regulatory regime is working, scrutiny of these enforcement actions (and inactions) is necessary.
12. Ironically, all three of these categories are supposed to encompass lesser violations which are already mitigated, and yet Defendant claims that processing these final dockets has suddenly become an emergency. These should actually be easier for Defendant: if they are lesser violations that have already been mitigated (which they all have been), then the names of the violators can be released.
13. I filed my FOIA requests for the identities of the regulatory violators (“Unidentified Regulated Entities”) on December 18, 2018 (FOIA 2019-0019), January 12, 2019 (FOIA 2019-0030) and August 13, 2019 (FOIA 2019-0099) respectively. In all, the FOIA requests covered the names of entities in 253 specific FERC dockets. In each FOIA request I included a detailed table which outlined how many “Unidentified Regulated Entities” were believed to be covered by each docket. Attached as Exhibit A to my declaration are the exact tables which were included in my original FOIA requests. Thus, Defendant has known since the FOIAs were filed exactly how many “Unidentified Regulated Entities” were included in each responsive docket and Defendant has been aware of these specifics for 2.8 years, 2.7 years and 2.2 years respectively.

14. There is no sudden “emergency” for Defendant.
15. By November of 2019, Defendant was processing only 1.9 dockets per month responsive to my FOIA requests. At that rate of production, it would have taken 133 months (11 years) for Defendant to complete the production. Thus, on November 15, 2019, after exhausting my administrative appeals, I filed this lawsuit.
16. Defendant requested in the Joint Status Report of January 13, 2020 [Document 9] that “FERC estimates that it will be able to process 5-10 dockets per month.” Plaintiff requested “that the Court order FERC to process 25 dockets per month until the production is complete.” Both sides had full opportunity to make their respective arguments.
17. On January 28, 2020 the Court issued the following order: “Defendant shall process a minimum of 10-15 dockets per month and shall issue a response to Plaintiff’s FOIA requests on the 30th day of each month or the next business day if the 30th falls on a weekend or holiday, until production is complete.”
18. After the Court’s January 28, 2020 order, Defendant began processing the bare minimum – exactly 10 dockets per month, most resulting in denials. In September of 2021, Defendant only processed 2 dockets – in violation of the Court’s January 28, 2020 order – and now requests an “emergency” modification of the Court’s order.
19. Plaintiff points out that this lawsuit was necessitated to begin with by Defendant’s unreasonable delays in processing these FOIA requests. Prior to the lawsuit being filed, Defendant processed an average of less than 2 dockets per month and would have happily taken 11 years to process Plaintiff’s FOIA requests. Only because Plaintiff filed suit and the Court ordered “Defendant shall process a minimum of 10-15 dockets per month” has Defendant done the bare minimum – 10 dockets exactly per month.

20. The Court should not entertain Defendant's "emergency motion" now. Defendant could have made these arguments last year in the Joint Status Report when the parties made their positions known and the Court issued its January 28, 2020 Minute Order.
21. As demonstrated in Exhibit A, Defendant has known since the FOIAs were filed (over 2 years in each case) that some of the dockets involved multiple "Unidentified Registered Entities." Defendant has known about the composition of these dockets since the beginning and *chose* to save these particular dockets until the end. This is not new information they have just discovered. This issue has been argued and decided. The Court should not entertain any further delays by Defendant in processing of these FOIA requests.
22. Ending the coverup of the identities of regulatory violators – which is obscuring the failures of the regulatory regime from the public, Congress and state regulators – is much more urgent than condoning Defendant's inability to effectively manage their workload and fulfil their long known statutory obligations.
23. The public has been endangered for far too long by the inability of the regulatory system overseen by Defendant to secure the electric grid. Public scrutiny is long overdue and must not be further delayed.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 14th day of October, 2021 at Fort Worth, Texas



Michael Mabee

Exhibit A
to Declaration of Michael Mabee

These tables, which were included in each of my FOIA requests, clearly identified the FERC docket numbers and the number of “Unidentified Registered Entities” associated with each docket number. In each of the three dockets, FERC has had this information since the original date of the filing indicated.

Table included with FOIA Request Number 2019-0019 filed on December 18, 2018

Date	FERC Docket Number	Region	Registered Entity	Entities
1/30/2014	NP14-29-000	WECC	Unidentified Registered Entity	1
1/30/2014	NP14-30-000	RFC	Unidentified Registered Entity	1
2/27/2014	NP14-32-000	SPP RE	Unidentified Registered Entity	1
3/31/2014	NP14-37-000	WECC	Unidentified Registered Entity	1
4/30/2014	NP14-39-000	WECC	Unidentified Registered Entity	1
5/29/2014	NP14-41-000	WECC	Unidentified Registered Entity	1
5/29/2014	NP14-42-000	SERC	Unidentified Registered Entity	1
7/31/2014	NP14-45-000	WECC	Unidentified Registered Entity	1
7/31/2014	NP14-46-000	RFC	Unidentified Registered Entities	7
8/27/2014	NP14-48-000	RFC/NPCC	Unidentified Registered Entities	3
10/30/2014	NP15-5-000	SPP	Unidentified Registered Entity	1
10/30/2014	NP15-6-000	TRE	Unidentified Registered Entity	1
11/25/2014	NP15-10-000	WECC	Unidentified Registered Entity	1
11/25/2014	NP15-11-000	RFC	Unidentified Registered Entity	1
11/25/2014	NP15-9-000	MRO	Unidentified Registered Entity	1
12/30/2014	NP15-13-000	RFC	Unidentified Registered Entity	1
12/30/2014	NP15-15-000	SERC	Unidentified Registered Entity	1
12/30/2014	NP15-17-000	WECC	Unidentified Registered Entity	1

Table included with amendment to FOIA Request Number 2019-0019 filed on January 4, 2019

Date	FERC Docket Number	Region	Registered Entity	Entities
12/30/2014	NP15-18-000	Multiple	Unidentified Registered Entities	10

Table included with FOIA Request Number 2019-0030 filed on January 12, 2019

Date	FERC Docket Number	Region	Registered Entity	Entities
7/6/2010	NP10-140-000	RFC	Unidentified Registered Entity	1
7/6/2010	NP10-139-000	WECC	Unidentified Registered Entity	1
7/6/2010	NP10-138-000	RFC	Unidentified Registered Entity	1
7/6/2010	NP10-137-000	WECC	Unidentified Registered Entity	1
7/6/2010	NP10-136-000	WECC	Unidentified Registered Entity	1
7/6/2010	NP10-135-000	WECC	Unidentified Registered Entity	1
7/6/2010	NP10-134-000	SPP	Unidentified Registered Entity	1
7/6/2010	NP10-131-000	SERC	Unidentified Registered Entity	1
7/6/2010	NP10-130-000	SERC	Unidentified Registered Entity	1
7/30/2010	NP10-159-000	WECC	Unidentified Registered Entity	1

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to Declaration of Michael Mabee

9/13/2010	NP10-160-000	WECC	Unidentified Registered Entity	1
10/7/2010	NP11-5-000	SERC	Unidentified Registered Entity	1
10/7/2010	NP11-4-000	FRCC	Unidentified Registered Entity	1
10/7/2010	NP11-3-000	SERC	Unidentified Registered Entity	1
10/7/2010	NP11-2-000	WECC	Unidentified Registered Entity	1
10/7/2010	NP11-1-000	WECC	Unidentified Registered Entity	1
11/5/2010	NP11-22-000	SERC	Unidentified Registered Entity	1
11/5/2010	NP11-21-000	RFC	Unidentified Registered Entity	1
11/30/2010	NP11-56-000	SERC	Unidentified Registered Entity	1
11/30/2010	NP11-47-000	SERC	Unidentified Registered Entity	1
12/22/2010	NP11-81-000	MRO, SPP	Unidentified Registered Entities 2	2
12/22/2010	NP11-79-000	FRCC	Unidentified Registered Entity	1
12/22/2010	NP11-76-000	SERC	Unidentified Registered Entity	1
12/22/2010	NP11-72-000	SERC	Unidentified Registered Entity	1
12/22/2010	NP11-70-000	WECC	Unidentified Registered Entity	1
12/22/2010	NP11-64-000	WECC	Unidentified Registered Entity	1
12/22/2010	NP11-63-000	WECC	Unidentified Registered Entity	1
12/22/2010	NP11-59-000	RFC	Unidentified Registered Entity	1
1/31/2011	NP11-102-000	WECC	Unidentified Registered Entity	1
1/31/2011	NP11-98-000	WECC	Unidentified Registered Entity	1
2/1/2011	NP11-104-000	Various	Unidentified Registered Entities	6
2/23/2011	NP11-128-000	WECC	Unidentified Registered Entity	1
2/23/2011	NP11-127-000	FRCC	Unidentified Registered Entity	1
2/23/2011	NP11-125-000	SPP, RFC	Unidentified Registered Entity	1
2/23/2011	NP11-124-000	RFC	Unidentified Registered Entity	1
2/23/2011	NP11-116-000	FRCC	Unidentified Registered Entity	1
2/23/2011	NP11-111-000	MRO	Unidentified Registered Entity	1
2/23/2011	NP11-106-000	RFC	Unidentified Registered Entity	1
2/28/2011	NP11-133-000	Various	Unidentified Registered Entities	5
3/30/2011	NP11-161-000	WECC	Unidentified Registered Entity	1
3/30/2011	NP11-157-000	SERC	Unidentified Registered Entity	1
3/30/2011	NP11-156-000	SERC	Unidentified Registered Entity	1
3/30/2011	NP11-155-000	WECC	Unidentified Registered Entity	1
3/30/2011	NP11-150-000	MRO	Unidentified Registered Entity	1
3/30/2011	NP11-149-000	RFC	Unidentified Registered Entity	1
3/30/2011	NP11-146-000	RFC	Unidentified Registered Entities	3
3/30/2011	NP11-145-000	WECC	Unidentified Registered Entity	1
3/30/2011	NP11-143-000	SERC	Unidentified Registered Entity	1
3/30/2011	NP11-140-000	WECC	Unidentified Registered Entity	1
3/30/2011	NP11-137-000	WECC	Unidentified Registered Entity	1

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3/30/2011	NP11-136-000	WECC	Unidentified Registered Entity	1
3/31/2011	NP11-162-000	TRE, NPCC	Unidentified Registered Entities	2
4/29/2011	NP11-181-000	FRCC, NPCC	Unidentified Registered Entities	6
4/29/2011	NP11-180-000	WECC	Unidentified Registered Entity	1
4/29/2011	NP11-179-000	MRO	Unidentified Registered Entity	1
4/29/2011	NP11-178-000	WECC	Unidentified Registered Entity	1
4/29/2011	NP11-176-000	WECC	Unidentified Registered Entity	1
4/29/2011	NP11-175-000	WECC	Unidentified Registered Entity	1
4/29/2011	NP11-174-000	RFC	Unidentified Registered Entity	1
4/29/2011	NP11-167-000	WECC	Unidentified Registered Entity	1
4/29/2011	NP11-166-000	SPP, TRE	Unidentified Registered Entity	1
5/26/2011	NP11-199-000	Various	Unidentified Registered Entities	3
5/26/2011	NP11-198-000	SPP	Unidentified Registered Entity	1
5/26/2011	NP11-193-000	WECC	Unidentified Registered Entity	1
5/26/2011	NP11-192-000	WECC	Unidentified Registered Entity	1
5/26/2011	NP11-189-000	FRCC	Unidentified Registered Entity	1
5/26/2011	NP11-188-000	SPP	Unidentified Registered Entity	1
5/26/2011	NP11-184-000	RFC	Unidentified Registered Entity	1
5/26/2011	NP11-182-000	WECC	Unidentified Registered Entity	1
6/29/2011	NP11-226-000	RFC	Unidentified Registered Entity	1
6/29/2011	NP11-225-000	RFC	Unidentified Registered Entity	1
6/29/2011	NP11-223-000	SPP	Unidentified Registered Entity	1
6/29/2011	NP11-218-000	WECC	Unidentified Registered Entity	1
6/29/2011	NP11-213-000	WECC	Unidentified Registered Entity	1
6/29/2011	NP11-212-000	WECC	Unidentified Registered Entity	1
6/29/2011	NP11-211-000	WECC	Unidentified Registered Entity	1
6/29/2011	NP11-206-000	NPCC	Unidentified Registered Entity	3
6/29/2011	NP11-205-000	WECC	Unidentified Registered Entity	1
6/29/2011	NP11-204-000	WECC	Unidentified Registered Entity	1
7/28/2011	NP11-251-000	WECC	Unidentified Registered Entity	1
7/28/2011	NP11-250-000	WECC	Unidentified Registered Entity	1
7/28/2011	NP11-249-000	WECC	Unidentified Registered Entity	1
7/28/2011	NP11-248-000	WECC	Unidentified Registered Entity	1
7/28/2011	NP11-247-000	RFC	Unidentified Registered Entity	1
7/28/2011	NP11-243-000	RFC	Unidentified Registered Entity	1
7/28/2011	NP11-237-000	RFC	Unidentified Registered Entity	3
7/28/2011	NP11-234-000	WECC	Unidentified Registered Entity	1
7/28/2011	NP11-233-000	WECC	Unidentified Registered Entity	1
7/28/2011	NP11-230-000	RFC	Unidentified Registered Entity	1
7/28/2011	NP11-229-000	WECC	Unidentified Registered Entity	1

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7/29/2011	NP11-253-000	Various	Unidentified Registered Entities	8
8/31/2011	NP11-266-000	Various	Unidentified Registered Entities	5
8/31/2011	NP11-264-000	SPP	Unidentified Registered Entity	1
8/31/2011	NP11-263-000	TRE	Unidentified Registered Entity	1
8/31/2011	NP11-262-000	SPP	Unidentified Registered Entity	1
8/31/2011	NP11-261-000	RFC	Unidentified Registered Entity	1
9/30/2011	RC11-6-000	Various	Unidentified Registered Entities	59
9/30/2011	NP11-270-000	Various	Unidentified Registered Entities	21
9/30/2011	NP11-269-000	WECC	Unidentified Registered Entity	1
10/31/2011	RC12-1-000	Various	Unidentified Registered Entities	33
10/31/2011	NP12-2-000	Various	Unidentified Registered Entities	16
10/31/2011	NP12-1-000	RFC	Unidentified Registered Entities	3
11/30/2011	RC12-2-000	Various	Unidentified Registered Entities	30
11/30/2011	NP12-5-000	RF, WECC	Unidentified Registered Entities	12
11/30/2011	NP12-4-000	WECC	Unidentified Registered Entity	1
11/30/2011	NP12-3-000	WECC	Unidentified Registered Entity	1
12/30/2011	RC12-6-000	Various	Unidentified Registered Entities	40
12/30/2011	NP12-10-000	Various	Unidentified Registered Entities	21
12/30/2011	NP12-9-000	RFC	Unidentified Registered Entity	1
1/31/2012	RC12-7-000	Various	Unidentified Registered Entities	30
1/31/2012	NP12-12-000	Various	Unidentified Registered Entities	18
1/31/2012	NP12-11-000	WECC	Unidentified Registered Entity	1
2/29/2012	RC12-8-000	Various	Unidentified Registered Entities	24
2/29/2012	NP12-18-000	Various	Unidentified Registered Entities	23
2/29/2012	NP12-17-000	SPP RE	Unidentified Registered Entity	1
2/29/2012	NP12-16-000	WECC	Unidentified Registered Entity	1
3/30/2012	RC12-10-000	Various	Unidentified Registered Entities	12
3/30/2012	NP12-22-000	Various	Unidentified Registered Entities	15
3/30/2012	NP12-20-000	WECC	Unidentified Registered Entity	1
4/30/2012	RC12-11-000	Various	Unidentified Registered Entities	18
4/30/2012	NP12-26-000	Various	Unidentified Registered Entities	18
4/30/2012	NP12-25-000	RFC	Unidentified Registered Entity	1
5/30/2012	RC12-12-000	Various	Unidentified Registered Entities	40
5/30/2012	NP12-29-000	WECC	Unidentified Registered Entity	1
5/30/2012	NP12-27-000	Various	Unidentified Registered Entities	20
6/29/2012	RC12-13-000	Various	Unidentified Registered Entities	40
6/29/2012	NP12-36-000	Various	Unidentified Registered Entities	15
7/31/2012	RC12-14-000	Various	Unidentified Registered Entities	30
7/31/2012	NP12-40-000	Various	Unidentified Registered Entities	15
7/31/2012	NP12-38-000	WECC	Unidentified Registered Entity	1

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7/31/2012	NP12-37-000	WECC	Unidentified Registered Entities	4
8/31/2012	RC12-15-000	Various	Unidentified Registered Entities	38
8/31/2012	NP12-44-000	Various	Unidentified Registered Entities	16
8/31/2012	NP12-43-000	WECC	Unidentified Registered Entity	1
9/28/2012	RC12-16-000	Various	Unidentified Registered Entities	41
9/28/2012	NP12-47-000	Various	Unidentified Registered Entities	14
9/28/2012	NP12-46-000	WECC	Unidentified Registered Entity	1
9/28/2012	NP12-45-000	FRCC	Unidentified Registered Entity	1
10/31/2012	RC13-1-000	Various	Unidentified Registered Entities	44
10/31/2012	NP13-5-000	Various	Unidentified Registered Entities	19
10/31/2012	NP13-4-000	RFC	Unidentified Registered Entities	3
10/31/2012	NP13-1-000	WECC	Unidentified Registered Entity	1
11/30/2012	RC13-2-000	Various	Unidentified Registered Entities	25
11/30/2012	NP13-6-000	WECC	Unidentified Registered Entity	1
12/31/2012	RC13-3-000	Various	Unidentified Registered Entities	25
12/31/2012	NP13-19-000	SERC	Unidentified Registered Entity	1
12/31/2012	NP13-18-000	SPP	Unidentified Registered Entity	1
12/31/2012	NP13-17-000	RFC	Unidentified Registered Entities	3
12/31/2012	NP13-16-000	WECC	Unidentified Registered Entity	1
12/31/2012	NP13-12-000	Various	Unidentified Registered Entities	21
12/31/2012	NP13-11-000	SPP	Unidentified Registered Entity	1
1/31/2013	RC13-5-000	Various	Unidentified Registered Entities	22
1/31/2013	NP13-23-000	Various	Unidentified Registered Entities	22
1/31/2013	NP13-22-000	WECC	Unidentified Registered Entity	1
2/28/2013	RC13-6-000	Various	Unidentified Registered Entities	27
2/28/2013	NP13-27-000	Various	Unidentified Registered Entities	14
2/28/2013	NP13-24-000	WECC	Unidentified Registered Entity	3
3/27/2013	NP13-30-000	RFC	Unidentified Registered Entity	3
3/27/2013	NP13-29-000	Various	Unidentified Registered Entities	10
3/27/2013	NP13-28-000	Various	Unidentified Registered Entity	1
4/30/2013	RC13-8-000	Various	Unidentified Registered Entities	50
4/30/2013	NP13-33-000	Various	Unidentified Registered Entities	18
4/30/2013	NP13-32-000	NERC	Unidentified Registered Entity	1
5/30/2013	NP13-34-000	Texas RE	Unidentified Registered Entity	1
5/30/2013	RC13-9-000	Various	Unidentified Registered Entities	53
5/30/2013	NP13-38-000	WECC	Unidentified Registered Entity	1
5/30/2013	NP13-39-000	Various	Unidentified Registered Entities	16
6/27/2013	RC13-10-000	Various	Unidentified Registered Entities	52
6/27/2013	NP13-41-000	Various	Unidentified Registered Entities	20
7/31/2013	NP13-47-000	RFC, SERC	Unidentified Registered Entities	2

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7/31/2013	NP13-46-000	Various	Unidentified Registered Entities	18
7/31/2013	NP13-45-000	WECC	Unidentified Registered Entity	1
8/30/2013	NP13-51-000	Various	Unidentified Registered Entities	18
9/30/2013	NP13-57-000	Various	Unidentified Registered Entities	12
9/30/2013	NP13-55-000	WECC	Unidentified Registered Entity	1
10/30/2013	NP14-5-000	RF	Unidentified Registered Entity	1
10/30/2013	NP14-4-000	RF, SERC	Unidentified Registered Entities	16
11/27/2013	NP14-6-000	Various	Unidentified Registered Entities	14
12/30/2013	NP14-22-000	WECC	Unidentified Registered Entity	1
12/30/2013	NP14-20-000	SERC	Unidentified Registered Entity	1
12/30/2013	NP14-19-000	WECC	Unidentified Registered Entity	1
12/30/2013	NP14-18-000	SERC	Unidentified Registered Entity	1
12/30/2013	NP14-17-000	WECC	Unidentified Registered Entity	1
12/30/2013	NP14-16-000	SERC	Unidentified Registered Entity	1
12/30/2013	NP14-14-000	Various	Unidentified Registered Entities	18
12/31/2013	NP14-26-000	SERC	Unidentified Registered Entity	1
12/31/2013	NP14-25-000	SERC	Unidentified Registered Entity	1
12/31/2013	NP14-24-000	SERC	Unidentified Registered Entity	1
12/31/2013	NP14-23-000	SPP RE	Unidentified Registered Entity	1
12/31/2013	NP14-21-000	SERC	Unidentified Registered Entity	1

Table included with FOIA Request Number 2019-0099 filed on August 13, 2019

Date	FERC Docket Number	Region	Registered Entity	Entities
1/25/2019	NP19-4-000	unk	Unidentified Registered Entity	1
2/28/2019	NP19-5-000	FRCC/SPP	Unidentified Registered Entities	unk
3/28/2019	NP19-6-000	WECC	Unidentified Registered Entities	unk
4/30/2019	NP19-7-000	WECC	Unidentified Registered Entity	1
4/30/2019	NP19-9-000	FRCC	Unidentified Registered Entity	1
5/30/2019	NP19-10-000	unk	Unidentified Registered Entity	1
5/30/2019	NP19-11-000	unk	Unidentified Registered Entity	1
6/26/2019	NP19-14-000	SERC	Unidentified Registered Entity	1
6/27/2019	NP19-12-000	NPCC/WEC C	Unidentified Registered Entities	unk
7/31/2019	NP19-15-000	NPCC/WEC C	Unidentified Registered Entities	unk

Note: By the beginning of 2019, the public information had been reduced to the point that in FOIA 2019-0099 I could no longer tell how many “Unidentified Registered Entities” were involved in a docket. This entire FOIA request was denied outright by FERC on September 17, 2019 so it has no impact on the current motion.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MICHAEL MABEE,

Plaintiff,

v.

FEDERAL ENERGY REGULATORY
COMMISSION,

Defendant.

Civil Action No. 19-3448

[PROPOSED] ORDER

Upon consideration of the Defendant's Emergency Motion to Amend Order Setting Processing Schedule, Plaintiff's Opposition and accompanying Declaration thereto, the entire record herein, and no good cause shown, it is hereby:

ORDERED that the Defendant's Motion is DENIED:

The Court's January 28, 2020 Minute Order shall remain unmodified. Defendant shall complete processing of the remaining dockets as indicated by the Court's January 28, 2020 Minute Order.

SO ORDERED this ____ day of _____, 2021.

United States District Judge