

CLARKSVILLE DEPARTMENT OF ELECTRICITY

Operating Policy 2-27

Subject: Public Record Access

Policy:

THE PURPOSE OF THIS POLICY IS TO ESTABLISH PROCEDURES FOR PUBLIC INSPECTION OF, ACCESS TO AND DUPLICATION OF PUBLIC RECORDS AS REQUIRED UNDER THE TENNESSEE OPEN RECORDS LAW (T.C.A. § 10-7-504, *et seq.*)

Procedures regarding access to an inspection of public records:

A. Consistent with the Public Records Act of the State of Tennessee, personnel of the Clarksville Department of Electricity (CDE) shall provide full access and assistance in a timely and efficient manner to Tennessee residents who request access to public documents.

B. Employees of CDE shall protect the integrity and organization of public records with respect to the manner in which the records are inspected and copied. All inspections of records must be performed under the supervision of the CDE records custodian or designee. All copying of public records must be performed by employees of CDE, or, in the event that CDE personnel are unable to copy the records, by an entity or person designated by the records custodian.

C. To prevent excessive disruptions of the work, essential functions, and duties of employees of CDE, persons requesting inspection and/or copying of public records shall complete an Inspection/Duplication of Records Request form to be furnished by CDE which is Attachment A of this policy. If the requesting party refuses to complete a request form, a CDE employee shall complete the form with the information provided by the requesting party. Persons requesting access to open public records shall describe the records with specificity so that the records may be located and made available for public inspection or duplication, as provided in B above. All requests for public records shall be directed to the CDE records custodian.

D. When records are requested for inspection or copying, the CDE records custodian has seven days to determine whether CDE can retrieve the records requested and whether the requested records contain any confidential information, and the estimated charge for copying based upon the number of copies and amount of time required.

Within seven days of a request for records the records custodian shall:

- 1) produce the records requested;
- 2) deny the records request, in writing, giving explanation for denial using the Records Request Denial Letter which is Attachment B of this policy; or,
- 3) in the case of voluminous requests, provide, in writing, the requestor with an estimated time frame for production and an estimation of duplication costs using the Records Production Letter which is Attachment C of this policy.

E. There is no charge assessed to a requester for inspecting a public record. Charges for physical copies of records, in accordance with the Office of Open Records Counsel (OORC) schedule of reasonable charges, are as follows:

- a. \$.15 per copy for black and white copies.
- b. \$.50 per copy for colored copies.
- c. Maps, plats, electronic data, audio discs, video discs, and all other materials shall be duplicated at actual costs to CDE.

F. Requests requiring less than one hour of CDE employee labor for research, retrieval and duplication is free to the requester. Labor in excess of one hour may be charged by CDE, in addition to the cost per copy, as provided in E. CDE may require payment in advance of producing voluminous records. Requests for copies of records may not be broken down to multiple requests for the same information in order to qualify for the first free hour. For requests requiring more than one employee to complete, labor charges will be assessed based on the following formula:

In calculating the charge for labor, the records custodian shall determine the number of hours each employee spent producing a request. The records custodian shall then subtract the one (1) hour threshold from the number of hours the highest paid employee(s) spent producing the request. The records custodian will then multiply the total number of hours to be charged for the labor of each employee by that employee's hourly wage. Finally, the records custodian will add together the totals for all the employees involved in the request and that will be the total amount of labor that can be charged.

G. If the public records requested are frail due to age or other conditions, and copying of the records will cause damage to the original records, the requesting party may be required to make an appointment for inspection.