

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION**

General Counsel

Via Email
alberti6a04@yahoo.com



July 3, 2013

Commissioner Nicholas Alberti

Re: FOIA Request dated May 16, 2013 – DDOT's Response

Dear Commissioner Alberti:

The District Department of Transportation (DDOT) received your District of Columbia Freedom of Information Act (FOIA) request, dated May 16, 2013, wherein you requested the following:

1. All documents pertaining to Public Space Permit PA 78078, including the permit application, all supporting documents and the permit issued.
2. All documents pertaining to any Public Space Permit applications for 147 Tennessee Ave NE, whether approved or disapproved.
3. All documents pertaining to any Public Space Permit applications for Reservation 266, the public space directly adjacent and to the north of 147 Tennessee Ave NE, including applications that were approved and those that were denied.
4. All materials that document any decisions of the DDOT to either approve or deny Public Space Permit applications for 147 Tennessee Ave NE and Reservation 266.
5. All correspondence between DDOT and the DC Historic Preservation Office pertaining to the applications and documents described above.
6. Request copies of all of the relevant documents described above that were created by or submitted to DDOT since January 1, 2008.

Enclosed are 135 pages of public records held by DDOT that are responsive to your FOIA request. Several pages of these records have been redacted since portions of the documents are exempt due to the personal privacy information, deliberative process privilege and attorney client privilege. *D.C. Official Code §§ 2-534(a)(2) (4) (2012).*

You may also want to submit a FOIA request to the Office of Planning (OP). OP's contact information is as follows:

FOIA Officer

Michael Johnson
1100 4th Street, SW, Suite E650
Washington, DC 20024
mike.johnson@dc.gov
Phone: (202) 442-7622
Fax: (202) 442-7638

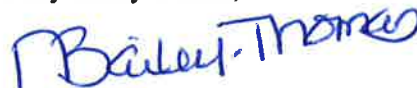
I am waiving the fees for this FOIA request.

Please know that, under D.C. Official Code § 2-537 and 1 DCMR § 412, you have the right to appeal this letter to the Mayor or to the Superior Court of the District of Columbia. If you elect to appeal to the Mayor, your appeal must be in writing and contain "Freedom of Information Act Appeal" or "FOIA Appeal" in the subject line of the letter as well on the outside of the envelope. The appeal must include (1) a copy of the original request; (2) a copy of any written denial; (3) a statement of the circumstances, reasons, and/or arguments advanced in support of disclosure; and (4) a daytime telephone number, and e-mail and/or U.S. Mail address at which you can be reached. The appeal must be mailed to: The Mayor's Correspondence Unit, FOIA Appeal, 1350 Pennsylvania Avenue, N.W., Suite 316, Washington, D.C. 20004.

Electronic versions of the same information can instead be e-mailed to The Mayor's Correspondence Unit at foia.mayor@dc.gov. Further, a copy of all appeal materials must be forwarded to the Freedom of Information Officer of the involved agency or to the agency head of that agency if there is no designated Freedom of Information Officer there. Failure to follow these administrative steps will result in delay in the processing and commencement of a response to your appeal to the Mayor.

If you have any questions regarding the information in this letter, please feel free to contact me at (202) 673-6593 or at nana.bailey@dc.gov.

Very Truly Yours,



Nana Bailey-Thomas
FOIA Officer