

May 18, 2016

VIA E-MAIL

Mr. Siyi Liu
[REDACTED]

RE: 16-FOIA-124 Compensation Data

Dear Mr. Liu:

We are in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (“FOIA”).

I. Background

On May 4, 2016, we received your request for data about Metra compensation for casualties involving derailment, collision incidents, and incidents caused by human error for years 2000 to 2015 (“Request”).

We contacted you by email on May 10, seeking clarification of several items in your Request. Further, we advised that records older than 10 years were not available electronically and would require that we manually search for records prior to 2005 at an off-site storage facility. We asked in addition to clarifying your Request, if you would consider narrowing down the scope of your Request to only those records Metra maintains electronically. To date, we have not received a response from you. Accordingly, your Request is denied.

II. Denial

We are denying your Request as unduly burdensome under 5 ILCS 140/3(g), which states that a public body may deny a request where “compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information.” We sought clarification of several items in your Request, and advised that records older than 10 years were not available electronically requiring that we manually search for records prior to 2005. These records would have to be retrieved from an off-site storage facility, and to search, pull and review these older records would be disruptive to the day-to-day operations of the department tasked with this process.

Further, your Request would severely interfere with the day-to-day operations of our department, and limit our ability to fulfill other FOIA requests. Since you did not reply to our email requesting clarification of your Request, in addition to narrowing down the scope of your Request, it has been determined by Attorney Thomas Stuebner that your Request is unduly burdensome and falls squarely within the parameters of 5 ILCS 140/3(g).

Please note that you may resubmit your Request by clarifying and narrowing down the scope of your Request.

III. Right of Review

You have the right to have the denial of your Request reviewed by the Public Access Counselor (“PAC”) of the Illinois Attorney General’s Office. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

You also have the right to seek judicial review of your denial by filing a lawsuit in the circuit court. 5 ILCS 140/11.

If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,



Kathleen E. Haton
Freedom of Information Officer
FOIA@metrarr.com