

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
EXECUTIVE OFFICE OF THE MAYOR  
MAYOR'S OFFICE OF LEGAL COUNSEL  
Freedom of Information Act Appeal: 2021-260**

October 13, 2021

**VIA ELECTRONIC MAIL**

Ms. Valerie Jablow

RE: FOIA Appeal 2021-260

Dear Ms. Jablow:

This letter responds to the administrative appeal you submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Code § 2-537 (“DC FOIA”), challenging the failure of the Department of Energy and Environment (“DOEE”) to respond to your DC FOIA request.

On May 10, 2021, you filed a request seeking various records related to a property located on R Street SE. On September 9, 2021, you filed an appeal, claiming that DOEE had failed to respond to your DC FOIA request. On September 23, 2021, the agency responded to your appeal, apologizing for the lack of response and explaining that a computer glitch prevented your request from making its way through the agency.<sup>1</sup> DOEE also stated that requests for information have now been made to appropriate division representatives within the agency and that the agency “expect[s] to hear something in the near future” with respect to potentially responsive documents.

You are correct that the agency in this case has missed its statutory deadline to provide documents in response to your DC FOIA request. We thus grant your appeal to the extent it seeks a response from DOEE. We understand that the agency has a backlog of requests to work through and that a full response to your request will take additional time. However, we encourage the agency to proceed expeditiously in conducting its search and reviewing any responsive documents for appropriate exemptions.

This constitutes the final decision of this Office. If you are dissatisfied with this decision, you may commence a civil action against the District of Columbia in the Superior Court of the District of Columbia in accordance with D.C. Code § 2-537.

Respectfully,

Mayor's Office of Legal Counsel

cc: Myra Campbell, Staff Assistant DOEE (via email)

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<sup>1</sup> A copy of the agency's response to your appeal is attached.