

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2022-094**

November 30, 2022

VIA ELECTRONIC MAIL

Mr. Daniel McLean

RE: FOIA Appeal 2022-094

Dear Mr. McLean:

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 fee determination of the Office of Contracting and Procurement (“OCP”) for your DC FOIA request.

On February 8, 2022, you submitted a DC FOIA request to OCP seeking “the current UnitedHealthcare Dual Complete® Dual Special Needs Plan (PPO D-SNP) contract with the District of Columbia.” On February 23, 2022, OCP informed you it located 260 pages of responsive records, but you must pay a \$65 reproduction fee before the documents will be released. On February 28, 2022, you filed an appeal with this Office asserting it is unreasonable to charge a fee for production of electronic documents. On March 8, 2022, we notified OCP of your appeal and requested a response. On March 16, 2022, OCP responded. In its response, OCP explained that in light of your position, the agency dropped its fee demand and provided you the responsive records.¹

Because your appeal only challenged OCP’s fee determination and OCP has provided you with responsive records without charging a fee, we dismiss this appeal as moot.

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: Jeremiah S. Regan, Associate General Counsel
OCP (via email)

¹ A copy of the agency’s response to your appeal is attached to this decision.