



November 16, 2016

VIA E-MAIL

Mr. Matthew Neary

KPMG LLP

Email: matthewneary@kpmg.com

RE: 16-FOIA-288 New Metra Station information

Dear Mr. Neary:

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 November 9, 2016, we received your request for any information regarding 31 new Metra Stations that have been built since 1983; specifically any that are not downtown and have been constructed with the last 25 years as well as any information/reports regarding changes in employment, population and residences (“**Request**”).

In an email sent to you on November 10, 2016, we informed you that your request as written is overly broad and will be disruptive to the day-to-day operations of the departments at Metra tasked with pulling and reviewing the requested documents and, as such, your request is unduly burdensome. Additionally, we informed you that older records dating back 10 years are not available electronically and would require records to be manually pulled and scanned to a PDF format. This task would be disruptive to the day-to-day operations of the departments tasked with gathering this information and would also be disruptive to the day-to-day operations of the FOIA department, inhibiting our ability to process other FOIA requests. We asked that you narrow your request to one or two years of current specific records for one or two specific stations with the understanding that you may submit future requests for additional information. 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.” Your Request as written is overly broad and would be disruptive to the day-to-day operations of the Metra Police Department personnel tasked with locating and pulling the requested documents. Further, your Request would severely interfere with the day-to-day operations of our department as we would need to review any records that may be responsive to your Request; and this would interfere with our ability to fulfill other FOIA requests, making your Request for these records unduly burdensome. Since you did not reply to our email requesting that you

narrow the scope of your Request, it has been determined by Attorney Jamie Harrmann that your Request falls squarely within the parameters of 5 ILCS 140/3(g).

Please note that you may resubmit your Request by narrowing the scope of your Request for a limited number of stations and specific records for a shorter period of time with the understanding that you may submit subsequent future requests for additional information.

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,



Sonsere Hatch
Freedom of Information Officer
FOIA@metrarr.com
FOIA Hotline #312-663-3642