



March 1, 2017

VIA E-MAIL

Mr. Tom Stone
[REDACTED]

RE: 17-FOIA-053 WSOR and Amtrak contracts

Dear Mr. Stone:

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 February 22, 2017, we received your request for:

- Any and all contracts between Metra and Wisconsin & Southern Railroad and its subsidiaries that allows said railroad to use any and all Metra trackage;
- Any and all contracts between Metra and Amtrak (a.k.a NRPC) that allows said railroad to use any and all Metra trackage.

(“Request”).

In an email we sent to you on February 22, 2017 we advised that your request as written was vague, overly broad and would be disruptive to the day-to-day operations of the departments at Metra tasked with pulling and reviewing the requested documents. As such, your request is unduly burdensome. We asked that you narrow down the scope of your Request. 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 departments at Metra tasked with pulling and reviewing the requested documents. Further, your Request would severely interfere with the day-to-day operations of our department; and our ability to fulfill other FOIA requests, if required to take on this process, making your Request for these documents unduly burdensome. Since you did not reply to our email requesting that you narrow down the scope of your Request, it has been determined by Attorney Thomas Stuebner that your Request falls squarely within the parameters of 5 ILCS 140/3(g).

Please note that you may resubmit your Request by 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,



Sonserese Hatch
Freedom of Information Officer
FOIA@metrarr.com
FOIA Hotline #312-663-364