

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** POLITICO Pro Energy Whiteboard  
**Sent:** Mon 8/14/2017 5:30:17 PM  
**Subject:** Sierra Club sues DOE for communications on grid study

By Darius Dixon

08/14/2017 01:26 PM EDT

The Sierra Club sued the Energy Department today to force the agency to divulge communications between top officials working on a contentious electric grid study and any outside groups.

The lawsuit filed in the Northern District of U.S. District Court of California would require the agency to respond to a Freedom of Information Act request the Sierra Club filed on May 1. The deadline to comply with that FOIA passed on May 30.

Sierra's FOIA request specifically demands communications that Energy Secretary Rick Perry, DOE Chief of Staff Brian McCormack, and senior adviser Travis Fisher may have had with groups such as the Edison Electric Institute, Institute for Energy Research or utility representatives.

The lawsuit says the Sierra Club had at least four email exchanges with the agency about the requested communications after the FOIA deadline passed, and EPA failed to meet subsequent goals to comply with the FOIA request by mid-July and early August.

"Given DOE's demonstrated pattern of failing to produce documents by the dates it has communicated to the FOIA requester, Sierra Club is far from certain that any documents, much less a comprehensive response to our request, will be provided in late August," Sierra Club attorneys write.

**WHAT'S NEXT:** Sierra Club has asked the court to direct DOE to produce the communications "immediately" but it's unclear how quickly the case will proceed.

*To view online:*

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