

Pulaski Electric System

Operating Policy Number: POL 4.2.50

Policy Title: Public Records Policy

Scope: Residents of the State of Tennessee

Policy Statement: Pursuant to Tenn. Code Ann. § 10-7-503(g), the following Public Records Policy for Pulaski Electric System (PES) is hereby adopted by the PES Board of Directors to provide economical and efficient access to public records as provided under the Tennessee Public Records Act (“TPRA”) in Tenn. Code Ann. § 10-7-501, *et seq.*

Policy:

I. General

- A. The TPRA provides that all state, county and municipal records shall, at all times during business hours, be open for personal inspection by any citizen of the State of Tennessee, and those in charge of the records shall not refuse such right of inspection to any citizen of this state unless otherwise provided by state law. See Tenn. Code Ann. § 10-7-503(a) (2) (A). Accordingly, the public records of PES are presumed to be open for inspection unless otherwise provided by law.
- B. Personnel of PES shall timely and efficiently provide access and assistance to persons requesting to view or receive copies of public records. No provisions of this Policy shall be used to hinder access to open public records. However, the integrity and organization of public records, as well as the efficient and safe operation of PES, shall be protected as provided by current law. Concerns about this Policy should be addressed to the Public Records Request Coordinator (PRRC) for PES or to PES Legal Counsel.
- C. This Policy is available for inspection and duplication in the office of PES. This Policy is posted online at pesenergize.com. This Policy shall be reviewed every five years.

II. Requesting Access to Public Records

- A. Public record requests shall be made to the PRRC or his/her designee at PES, 128 South 1st Street, PO Box 368, Pulaski TN 38478, by phone at 931-363-2522, or by email at info@pesenergize.com in order to ensure public record requests are fulfilled in a timely manner.

- B. Requests for inspection only cannot be required to be made in writing. The PRRC should request a mailing [or email] address from the requestor for providing any written communication required under the TPRA.
- C. Requests for inspection may be made orally or in writing using the “Public Records Request Form” (Request Form) at PES, 128 South 1st Street, PO Box 368, Pulaski TN 38478, by phone at 931-363-2522, or by email at info@pesenergize.com.
- D. Requests for copies, or requests for inspection and copies, shall be made in writing using the Request Form at PES, 128 South 1st Street, PO Box 368, Pulaski TN 38478.
- E. Proof of Tennessee citizenship by presentation of a valid Tennessee driver’s license or alternative acceptable form of government-issued photo ID is required as a condition to inspect or receive copies of public records.

III. Responding to Public Records Requests

- A. Public Record Request Coordinator (PRRC)
 - 1. The designated PRRC is:
 - a. Name or title: Chief Human Resources Officer
 - b. Contact information: PES, 128 South 1st Street, PO Box 368, Pulaski TN 38478
931-363-2522 or info@pesenergize.com
 - 2. The PRRC shall review public record requests and make an initial determination of the following:
 - a. If the requestor provided evidence of Tennessee citizenship
 - b. If the records requested are described with sufficient specificity to identify them
 - c. If Pulaski Electric System is the custodian of the records.
 - 3. The PRRC shall acknowledge receipt of the request and take any of the following appropriate action(s):
 - a. Advise the requestor of this Policy and the elections made regarding:
 - Proof of Tennessee citizenship;
 - Form(s) required for copies;
 - Fees
 - Aggregation of multiple or frequent requests.
 - b. If appropriate, deny the request in writing, providing the appropriate ground such as one of the following:
 - The requestor is not, or has not presented evidence of being, a Tennessee citizen).

- The request lacks specificity. (Offer to assist in clarification)
 - An exemption makes the record not subject to disclosure under the TPRA.
 - Pulaski Electric System is not the custodian of the requested records.
 - The records do not exist.
- c. If appropriate, contact the requestor to see if the request can be narrowed.
- d. If requested records are in the custody of a different governmental entity, and the PRRC knows the correct governmental entity, advise the requestor of the correct governmental entity and PRRC for that entity if known.
4. Upon receiving a public records request, the PRRC shall promptly make requested public records available in accordance with Tenn. Code Ann. § 10-7-503. If the PRRC is uncertain that an applicable exemption applies, the PRRC may consult with the PES Legal Counsel.
5. If not practicable to promptly provide requested records because additional time is necessary to determine whether the requested records exist; to search for, retrieve, or otherwise gain access to records; to determine whether the records are open for public inspection; to redact records; or for other similar reasons, then the PRRC shall, within seven (7) business days from receipt of the request, send the requestor a completed "Public Records Request Response Form."
6. If the PRRC reasonably determines production of records should be segmented because the records request is for a large volume of records, or additional time is necessary to prepare the records for access, the PRRC shall use the "Public Records Request Response Form" to notify the requestor that production of the records will be in segments and that a records production schedule will be provided as expeditiously as practicable.
- B. Redaction
1. If a record contains confidential information or information that is not open for public inspection, the PRRC shall prepare a redacted copy prior to providing access. If questions arise concerning redaction, the PRRC should coordinate with the PES Legal Counsel or other appropriate parties regarding review and redaction of records.
2. Whenever a redacted record is provided, the PRRC should provide the requestor with the basis for redaction. The basis given for redaction shall be general in nature and not disclose confidential information.

IV. Inspection of Records

- A. There shall be no charge for inspection of open public records.
- B. The location for inspection of records within the offices of PES should be determined by the PRRC.
- C. Under reasonable circumstances, the PRRC may require an appointment for inspection or may require inspection of records at an alternate location.

V. Copies of Records

- A. The PRRC shall promptly respond to a public record request for copies in the most economic and efficient manner practicable.
- B. Copies will be available for pickup at a location specified by the PRRC.
- C. Upon payment for postage, copies will be delivered to the requestor's home address by the United States Postal Service.
- D. A requestor will not be allowed to make copies of records with personal equipment.

VI. Fees and Charges and Procedures for Billing and Payment

- A. Fees and charges for copies of public records should not be used to hinder access to public records.
- B. The PRRC shall provide requestors with an itemized estimate of the charges using the Response Form prior to producing copies of records and may require pre-payment of such charges before producing requested records.
- C. Fees and charges for copies are as follows:
 - \$0.15 per page for letter- and legal-size black and white copies
 - \$0.50 per page for letter- and legal-size color copies
 - Labor when time exceeds 1 hour at \$32 an hour
 - If an outside vendor is used, the actual costs assessed by the vendor.
- D. Payment is to be made in cash, by credit card or by personal check made payable to Pulaski Electric System presented to the PRRC.
- E. Payment in advance will be required when costs are estimated to exceed \$200.
- F. Aggregation of Frequent and Multiple Requests

1. PES will aggregate record requests in accordance with the Tennessee Office of Open Record Counsel when more than four (4) requests are received within a calendar month (either from a single individual or a group of individuals deemed working in concert).
2. The PRRC is responsible for making the determination that a group of individuals are working in concert. The PRRC must inform the individuals that they have been deemed to be working in concert and that they have the right to appeal the decision to the CEO of PES.

VII. Accountability

The PRRC shall report to the PES Board of Directors on a monthly basis about PES' compliance with the TPRA pursuant to this Policy.

Responsible Office(s): Chief of Human Resources

Reference(s): Tennessee Public Records Act (TPRA), Tenn. Code Ann. 10-7-501, *et seq.*
"Public Records Request Form" (Request Form)
"Public Records Request Response Form" (Response Form)

Effective Date: June 27, 2023

Policy History:

Approved: January 28, 2004

Revised: June 27, 2023