



Federal Communications Commission
Washington, D.C. 20554

June 21, 2017

Jonathan Brodtkin
ARS Technica

[REDACTED]
[REDACTED]

Email – jon.brodtkin@arstechnica.com

Re: FOIA Control No. FCC-2017-000603

Mr. Jonathan Brodtkin:

This letter responds to your Freedom of Information Act (FOIA) request for all e-mails, communications, and records related to the downtime experienced by the FCC's Electronic Comment Filing System on May 7 and 8, 2017. Your request was assigned FOIA Control No. FCC-2017-000603. The Office of the Managing Director, Information Technology Center, was assigned this request. After researching and requesting information from its staff it was determined that due to an ongoing investigation we are not able to release records associated with this incident.

We are required by both the Freedom of Information Act and the Commission's own rules to charge requesters certain fees associated with the costs of searching for, reviewing and duplicating the sought after information. Pursuant to section 0.466(a) (5)-(7) of the Commission's rules, you have been classified as category (2), "educational requesters, non-commercial scientific organizations, or representatives of the news media." As an "educational requester, non-commercial scientific organization, or representative of the news media," the Commission assesses charges to recover the cost of reproducing the records requested, excluding the cost of reproducing the first 100 pages. The production in response to your request did not involve more than 100 pages of duplication. Therefore, you will not be charged any fees.

If you consider this to be a denial of your FOIA request, you may seek review by filing an application for review with the Office of General Counsel. An application for review must be received by the Commission within 30 calendar days of the date of this letter.[1] You may file an application for review by mailing the application to Federal Communications Commission, Office of General Counsel, 445 12th St SW, Washington, DC 20554, or you may file your application for review electronically by e-mailing it to FOIA-Appeal@fcc.gov. Please caption the envelope (or subject line, if via e-mail) and the application itself as "Review of Freedom of Information Action." The application should reference FOIA request number 2015-000764. [47 C.F.R. §§ 0.461(j) and 1.115]

If we can be of further help please contact us.

Sincerely,

Christine Calvosa

Enclosures
cc: FCC FOIA Office