



Gina Proctor &lt;gproctor@utah.gov&gt;

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## GRAMA appeal

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Raphael Cordray [REDACTED]  
To: Gina Proctor <gproctor@utah.gov>, Mike McKee <mmckee@7county.utah.gov>

Thu, Sep 12, 2019 at 6:19 PM

APPEAL to the State Records Committee of the Aug 13, 2019 denial of my grama request by the SCIC.

Raphael Cordray  
[REDACTED]

September 12, 2019

Gina Proctor  
SRC Executive Secretary  
346 S. Rio Grande  
Salt Lake City, UT 84101-1106  
gproctor@utah.gov

Greetings,

Please consider my appeal of the decision by the Seven County Infrastructure Coalition to with hold the report titled:

“Private Energy Producer 2017 Uinta Basin Railroad Study – geometrics, capital cost, and financial feasibility data”

Executive Director McKee claims this document is classified as protected under title 63G-2-305(1)&(2) as a trade secret.

This information is very important to the public and could not consist of protected or trade secret information solely. The record being withheld impacts me personally and numerous other residents in the communities where the Uinta Basin Railroad would be built. The Federal Transportation Board is currently considering plans for this railroad project and other elements of this railroad are being considered.

The withheld document, “Private Energy Producer 2017 Uinta Basin Railroad Study – geometrics, capital cost, and financial feasibility data” is essential to the public’s ability to make informed comments and considerations on this massive public project that will be partly funded by tax payer dollars. Any sensitive information that would result in unfair commercial injury could be redacted.

The public interest in access in the record is greater than or equal to the interests in restricting access, including the governmental entity’s interest in maximizing the financial benefit of the transaction. When prepared by or on behalf of a governmental entity, feasibility studies of the value of the project have already been disclosed to persons not employed by or under a duty of confidentiality to the entity.

The State Records Committee can also use the weighing provision to order the release of records that are properly restricted if it determines that the interests favoring access are greater than or equal to the interests favoring restriction (Utah Code § 63G-2-203(11)).

Thank you for your time and consideration of this appeal.

Raphael Cordray

ATTACHMENTS:

- #1.) Cordray's 7-30-2019 GRAMA request to SCIC.
- #2.) Cordray's Appeal to SCIC Director
- #3.) Response Letter from SCIC Director with denial