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September 9, 2021

VIA EMAIL

Branda Lin

Re: OCPA California Public Records Act Request Received August 30, 2021

Dear Ms. Lin:

This letter is on behalf of the Orange County Power Authority (“OCPA”) and is in response to your request (“Request”) for public records pursuant to the California Public Records Act (“PRA”) (Gov. Code § 6250, *et seq.*), received by OCPA on **August 30, 2021**. The request is as follows:

“I’d like to again request a copy of Brian Probolsky’s application for the CEO position with the OCPA, including but not limited to his resume, CV, cover letter, and any communications including emails to the clerk or OCPA staff regarding his application for the CEO position.”

Upon receipt of this request OCPA was alerted to a previous request you submitted on August 6, 2021, however, due to a clerical error it was never received or processed by the Agency. OCPA has since reviewed both each and has determined both are identical to one another. Therefore, to avoid any duplicative responses, OCPA will be responding in accordance with the August 30, 2021 request only.

At this time, OCPA is reviewing your request and searching for responsive records. The purpose of this correspondence is to notify you that OCPA is exercising its right to a 14-day extension pursuant to search for and locate documents responsive to this request (Gov. Code § 6253(c)). We will provide a determination on your request on or before, September 23, 2021. Nothing in this letter should be construed as a representation that OCPA has all of the records requested, or that such records (if they exist) are subject to public disclosure.

OCPA will endeavor to provide non-exempt, responsive records to you on a timely basis in compliance with the Public Records Act. Please be advised, however, that OCPA staffing resources are limited and the current volume of PRA requests may affect the time necessary for OCPA to provide records in response to your request. (*See Bruce v. Gregory* (1967) 65 Cal.2d

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666, 676; 64 Ops.Cal.Atty.Gen.317 (1981) (noting that ensuring orderly functioning of the agency may affect the reasonableness that applies to the right to inspect and obtain copies of public records).

Please feel free to contact me should you have any questions or concerns pertaining to this matter.

Sincerely,



Cashel Carroll White
for BEST BEST & KRIEGER LLP

CCW