

FOR IMMEDIATE RELEASE NOVEMBER 1, 2005

Contact: Steve Cleary - AkPIRG - 278-3661

AkPIRG Files Request for More Gas Memos

The Alaska Public Interest Research Group filed a Public Records Act request yesterday, seeking more information on the process the State of Alaska has been following in negotiations for a natural gas pipeline.

"Governor Murkowski himself said that the important policy issues raised by former Commissioner Irwin deserve public discussion," stated AkPIRG's Steve Cleary. "There are likely other issues of equal importance that need public discussion and this request seeks to shine a light on those issues."

"We are not after confidential, proprietary information. We are after policy discussions that relate to how a deal is being constructed," Cleary continued. "It's critical to know if or how the major oil companies are attempting to manipulate the negotiations. Alaskans deserve to know that they are getting the best deal possible."

PRA Request attached:

October 31, 2005

Mr. Michael Menge
Acting Director, Department of Natural Resources
State of Alaska
P.O. Box 110300
Juneau, AK 99811-0300

Re: PUBLIC RECORDS ACT REQUEST - Gasline Policy Communications

[SENT VIA FACSIMILE]

Dear Commissioner Menge:

Pursuant to the Alaska Public Records Act (PRA), Alaska Statute title 40, chapter 25, and its implementing regulations, Alaska Admin. Code title 6, part 9, chapter 96, the Alaska Public Interest Research Group (AkPIRG) requests the following public records in the custody of or subject to the control of the Department of Natural Resources (DNR):

1. All memoranda or other communications from the Commissioner of the DNR and DNR staff that address natural gas pipeline policy and legality - similar to the memorandum from Commissioner Irwin dated October 20th, 2005 - from June 1st, 2005 to present date.
2. All memoranda or other communications or records of communications between Exxon-Mobil, British Petroleum or Conoco-Philips and the Governor and/or the DNR conducted in the period from Thursday Oct. 20th through Monday October 31st.

The requested records are not relevant to any litigation to which the Requester is a party.

If you determine that any of the requested records are nondisclosable, please specify the legal authority and facts supporting nondisclosure. /See id. /at §§ 96.325(a)(2) (agencies shall identify "specific legal authority and specific facts supporting nondisclosure"), 96.335(c); /Gwich'in Steering Comm. v. State/, 10 P.3d 572, 580 (Alaska 2000) ("[T]he Governor provided information about each document's author, subject matter, date, length, and reason for nondisclosure.").

If you determine that portions of any of the requested records are

nondisclosable, please segregate those portions, specify the legal authority and facts supporting nondisclosure, and release the remainder of the record. /See /Alaska Admin. Code at §§ 96.325(a)(2), 96.330 (requiring segregation and disclosure of disclosable portions of documents).

We ask that you waive any fees associated with this request pursuant to section 40.25.110(d) of the Alaska Statutes. Waiver of fees would enable the public to meaningfully participate in the natural gas pipeline negotiations, consistent with the purpose of the PRA. /See Fuller/, 75 P.3d at 1061-1062 (“[W]e have emphasized that broad public access to government records is a vitally important part of our contemporary system of government.”) (citing /Jones v. Jennings/, 788 P.2d 732, 735-736 (Alaska 1990)).

AkPIRG will examine these records to educate its members and the public about whether the State of Alaska is complying with the Alaska Constitution and State law in conducting negotiations for a natural gas pipeline. AkPIRG publishes a regular bi-annual newsletter and maintains a website to educate its members and the public about government decision making in the State of Alaska. The requested records will thus enable the requesters and the public to be informed of and meaningfully participate in the development of the policy pursued by the Governor of Alaska.

If you decide not to grant a fee waiver, or if fees associated with this request will amount to more than \$25, please contact me before fulfilling this request. Please also contact me if I can clarify this request or if you need further information.

We look forward to receiving your response within 10 working days of your receipt of this request. Alaska Administrative Code title 6, § 96.325(a).

Thank you in advance for promptly attending to this request.

Yours truly,

Steve Cleary
Executive Director, AkPIRG