



Pennsylvania
Office of Open Records

Standard Right-to-Know Law Request Form

Please read carefully. Complete this form and retain a copy of **both** pages; this copy may be required if an appeal is filed. You have 15 business days to appeal after a request is denied or deemed denied. More information about the RTKL is available at <https://www.openrecords.pa.gov>. In most cases, a completed RTKL request form is a public record.

SUBMITTED TO AGENCY NAME: CITY OF DUBOIS, PENNSYLVANIA (Attn: AORO)

Date Request Submitted: 12/11/24 Submitted via: Email U.S. Mail Fax In Person

PERSON MAKING REQUEST:

Full Name: Judith Suplizio

Company (if applicable): _____

Please send response via: Email U.S. Mail

If you wish to obtain records that only exist in hard copy, or must be provided on an electronic storage device, you may be required to provide a mailing address to the agency. See Section 703.

Email: [REDACTED]

Mailing Address: 314 Hamor Street

City: DuBois State: Pa Zip: 15801 Telephone [REDACTED]

How do you prefer to be contacted if the agency has questions? Telephone Email U.S. Mail

By checking this box, I affirm that my full name and contact information is true and correct, and that I am a legal resident of the United States. I understand that failure to check this box may result in the denial of my request and the dismissal of any appeal filed with the Office of Open Records.

RECORDS REQUESTED: *Provide as much detail as possible, including subject matter, time frame, and type of record sought. RTKL requests must seek records, not ask questions. Use additional pages if necessary.*
A listing of each and every financial record or account that used the City's EIN since 1960.

Please include the complete list, followed by date of origin, the originator, the current value of each, the date of closure if relevant, all signators past and present, and whether the account was a formal part or reference in the City's annual audit.

Form continues on page 2. Retain a copy of **both** pages.

RECORDS REQUESTED (continued):

DO YOU WANT COPIES? Yes, printed Yes, electronic No, in-person inspection

Records shall be provided in the medium requested if they exist in that medium; otherwise, they shall be provided in the medium in which they exist. See Section 701. Your request may require payment or prepayment of fees. View the Official RTKL Fee Schedule for more details.

I understand that my request may incur fees. Notify me before further processing if fees will be more than \$100 (or) \$_____.

Do you want certified copies? Yes (*may be subject to additional costs*) No

ITEMS BELOW THIS LINE FOR AGENCY USE ONLY

Tracking: _____ Date Received: _____ Response Due (5 bus. days): _____

30-Day Ext.? Yes No (If Yes, Final Due Date: _____) Actual Response Date: _____

Request was: Granted Partially Granted & Denied Denied Cost to Requester: \$ _____

Appropriate third parties notified and given an opportunity to object to the release of requested records.

Retain a copy of both pages of this Form.



CITY OF DUBOIS, PENNSYLVANIA

PO BOX 408 16 W. SCRIBNER AVE. DUBOIS, PENNSYLVANIA 15801

TELEPHONE: 814-371-2000

FAX: 814-371-1290

December 23, 2024

Judith Suplizio
314 Hamor Street
DuBois, PA 15801

Dear Ms. Suplizio,

Thank you for writing to the City of DuBois with your request for information pursuant to the Pennsylvania Right-To-Know law. On December 11, you requested every financial record or account that used the City's EIN since 1960.

Pursuant to Section 902(a) of the Right to Know Law, the City of DuBois requires an additional 30 day to respond to the request:

- A timely response to the request cannot be accomplished due to bona fide and specified staffing limitations.

The City of DuBois expects to respond to your request on or before January 10, 2025.

Respectfully,

Lisa Hagberg
Interim City Manager
City of DuBois, Clearfield County

LH/kl



CITY OF DUBOIS, PENNSYLVANIA

PO BOX 408 16 W. SCRIBNER AVE. DUBOIS, PENNSYLVANIA 15801

TELEPHONE: 814-371-2000

FAX: 814-371-1290

January 9, 2025

Judith Suplizio
314 Hamor Street
DuBois, PA 15801

Via email only [REDACTED]

Re: Right-to-Know Request dated December 11, 2024

Dear Ms. Suplizio,

This letter is a written response to the right-to-know request you filed with the City dated December 11, 2024. Upon review, your request is denied.

Under the "records requested" section of the Standard Right-to-Know Law Request form, your request states as follows:

"A listing of each and every financial record or account that used the City's EIN since 1960.

Please include the complete list, followed by date or origin, the originator, the current value of each, the date of closure if relevant, all signators past and present, and whether the account was a formal part or reference in the City's annual audit." (emphasis added). "In [Pennsylvania Department of Education v. Pittsburgh Post-Gazette, 119 A.3d 1121 (Pa. Cmwlth. 2015)], th[e] [Commonwealth] Court conducted an extensive review of [its] case law regarding challenges to the specificity of a request under Section 703 of the RTKL and set forth 'a three-part balancing test, examining the extent to which the request sets forth (1) the subject matter of the request; (2) the scope of documents sought; and (3) the timeframe for which records are sought.' Pittsburgh Post-Gazette, 119 A.3d at 1124 (citing Carey v. Pa. Dep't of Corr., 61 A.3d 367, 372 (Pa. Cmwlth. 2012)). [The Court] further explained: The subject matter of the request must identify the 'transaction or activity' of the agency for which the record is sought. The subject matter should provide a context to narrow the search. The scope of the request must identify 'a discrete group of documents, either by type . . . or by recipient.' . . . The timeframe of the request should identify a finite period of time for which records are sought. The timeframe prong is, however, the most fluid of the three prongs, and whether or not the request's timeframe is narrow enough is generally dependent upon the specificity of the request's subject matter and scope." Pa.

State Sys. of Higher Educ., Office of the Chancellor v. Ass'n of State Coll. & Univ. Faculties, 142 A.3d 1023, 1029 (Pa. Commw. 2016).

In *Mollick v. Township of Worcester*, 32 A.3d 859 (Pa. Commw. 2011), the Court addressed the specificity of a request to a township that sought, inter alia, (1) all emails between [Township] Supervisors regarding any Township business and/or activities for the past one and five years; and (2) all emails between the Supervisors and the Township employees regarding any Township business and/or activities for the past one and five years. The Court held "that the requester's failure 'to specify what category or type of Township business or activity for which [the requester was] seeking information . . . would place an unreasonable burden on an agency to examine all its emails for an extended time period without knowing, with sufficient specificity, what Township business or activity the request is related.'" *Easton Area Sch. Dist. v. Baxter*, 35 A.3d 1259, 1265 (Pa. Commw. 2012).

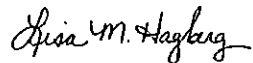
Similar to *Mollick*, your request does not specify what category or type of financial record or account is being sought; rather, the request open-endedly seeks disclosure of each and every financial record or account that used the City's EIN since 1960. The Court in *Mollick* determined that the request in that case constituted an unreasonable burden, in part, because, in addition to the open-endedness of the requested "records", the timeframe for which the records were sought was for a period of five (5) years. Here, the request spans a period of sixty four (64) years and specifies neither the category nor type of "financial records or accounts using the City's EIN." Accordingly, the request is insufficiently specific under the three-part balancing test announced in *Pittsburgh Post Gazette*, as well as the Commonwealth Court's decision in *Mollick*.

Therefore, the request is denied.

Thank you for your interest in the affairs of the City of DuBois.

Please let me know if you have any questions.

Sincerely,



Lisa Hagberg
Interim City of DuBois co-Manager
Clearfield County, PA