



November 13, 2025

The Honorable Attorney General Nick Brown
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RE: [Formal Comment on the Proposed Changes to the Model Rule Disclosure CR-103](#)

Dear Mr. Attorney General:

I am the Public Records Officer for Franklin Public Utility District (PUD). First, we truly appreciate the opportunity to provide comment on proposed changes to several advisory Public Records Act (PRA) Model Rules and a comment in chapter 44-14 WAC, as described in CR-102 (June 2024). As an electric service provider to over 90% of Franklin County's population (approx. 29,752 customers as of yearend 2024), we are very mindful of our service obligations and the financial impact of regulations on our ratepayers.

Our utility serves a high-vulnerability community, with a 13.5% poverty level and 56% Hispanic population, and parts of our service area are ranked as having the highest possible vulnerability (Rank 10) in socioeconomic factors by the Department of Health. Our records management team consists of just a Public Records Officer and a Records Coordinator, both with other essential duties.

The proposed Model Rules present significant operational and financial concerns for Franklin PUD, some are detailed below:

WAC 44-14-030(3): Organization of Records – Centralized Electronic System

The proposed change of a centralized electronic records system raises serious concerns regarding unfunded mandates and cost burden to our ratepayers. Acquiring and maintaining an electronic, enterprise-wide system would be a large, and ongoing expense. For a smaller utility like Franklin PUD, this investment would be highly burdensome on our ratepayers, who already face significant socioeconomic challenges.

We simply don't have the budget, or the dedicated Information Technology and Records staff needed to set up and manage an enterprise-wide system at this time.

We understand that the State Archives Local Government Records Grant can be a solution, however it is not feasible for everyone being that grant funding is limited.

Triage and Defining "Simple" Requests (WAC 44-14-040(1))

In practice, the requested language does not reflect the complexity of responding to a public records request and can have the opposite of the intended outcome. A request for one document can take much longer to process than a request for hundreds, if that single document requires extensive legal review or complicated redactions (like sensitive customer information). This makes it very difficult to define "simple" by the sheer volume of a request.

Requiring agencies to process every single "simple" request immediately has the potential to create delays for others. We cannot ask a requester why they need the records making prioritization based on their urgency or importance even more difficult.

Franklin PUD makes every effort to expedite requests recognizing that all requests have importance to the requester. Agencies required to comply with the Public Records Act who receive requests that include specific and limited key search terms such as title, names, subjects, policy, etc. and a date range can generally produce responsive records more quickly. These types of requests can certainly be "triaged" and added into the current workload. The 5-day response letter allows the records officer time to evaluate their current requests in process and make adjustments to ensure all requests are processed consistently and with best customer service.

Closing Requests Procedures

We need clear rules that allow us to efficiently close requests and protect legally exempt information. The new language under the "Deny the request" section is repetitive as agencies, such as Franklin PUD, already do this. We are already required to provide a log that cites the specific RCW and statutes for every exemption used.

We understand the need of providing a Third-Party Notices, when necessary. This is a critical compliance step to protect private financial, proprietary, and, most importantly, confidential safety information for our employees and domestic violence survivors (RCW 42.56.270 and ESHB 1533). We provide the fullest assistance and make every effort to provide the records being requested as quickly as possible. However, we also must follow the law and avoid releasing information that could harm others.

We strongly oppose replacing the fixed 30-day period for a requester to claim or review records with an uncertain "agreed period." We need a clear timeline to close files and manage our workflow. If a requester stops communicating, we must be able to officially close the file as abandoned. The responsibility for follow-through cannot indefinitely rest only with the agencies.

We suggest making the closure process simpler by sending one clear letter that notifies the requester the file will be closed as "abandoned" on a specific date, allowing them time to retrieve the records before the request is officially closed.

We ask that the unique challenges faced by smaller, resource-constrained utilities like Franklin PUD are taken into consideration. Any changes must be practical, fair, and, most importantly, mindful of the cost to the public. Thank you for the opportunity to provide these comments and we hope that you will take them into consideration.

Respectfully,



Rosario Viera
Public Records Officer
Franklin Public Utility District

C: Central Files

LTR 2025-129