



Pacific Carbon Trust

April 2, 2013

File: 292-30\PCT1308

Ref: 201365

Jordan Bateman
BC Director
Canadian Taxpayers Federation
6951 208A Street
Langley, BC V2Y 0G1

SENT VIA EMAIL: jbateman@taxpayer.com

Dear Mr. Bateman:

Re: *Freedom of Information and Protection of Privacy Act (the Act)*
Notice of Fee Estimate – Our Reference PCT1308

Pacific Carbon Trust received your request for records on March 18, 2013. Section 75 of the Act provides that Public Bodies may charge a fee for certain limited costs of providing you with the requested records.

We have determined there are a large number of records involved in responding to your request. We propose that you narrow the scope of your request. If you do not want to narrow the scope of your request, the **preliminary**** fee for providing these records has been estimated to be \$940.60. We have calculated this amount as follows:

286 pages scanned @ \$.10 per page =	\$ 28.60
20.7 hours to locate and retrieve records @ \$30.00/ hr. =	621.00
<i>(does not include the first 3 hours which are at no cost)</i>	
9.7 hours to prepare the records for disclosure @ \$30.00/hr. =	291.00
Shipping <i>(to be sent via email as per request)</i>	<u>n/a</u>
Total =	\$940.60

(** This preliminary fee estimate does not include actual photocopying/scanning costs or time to prepare the records for disclosure. Once the records have been retrieved and copied, we will provide you with a revised letter indicating final actual costs.)

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Due to the amount of the estimate, we will require a deposit of \$470.30. Please send a cheque or money order payable to Pacific Carbon Trust to the following address:

Pacific Carbon Trust
976 Meares Street
Victoria, BC V8V 3J4
Attn: FOI Requests

Upon receipt of your deposit, we will proceed with your request. All reasonable efforts have been made to generate an accurate estimate. However, if it appears that the final cost of processing the request will be higher than the original fee estimate, we may issue a revised estimate. This is necessary as applicants are required to pay actual costs. If the final cost of processing the request is less than the fee estimate, you will be charged the actual, not the original estimated cost.

In addition, there are conditions under which we may consider waiving fees. An applicant may be excused from paying all or part of the fee if, in the Public Body's opinion, the applicant cannot afford to pay or there are other reasons that justify excusing the fee, or if the record relates to a matter of public interest. The burden of proof lies with the applicant.

The Information and Privacy Commissioner says in Order # 332-1999 that "...applicants bear the burden – both at the time they seek a fee waiver and in an inquiry such as this – of establishing that a fee waiver should be granted in the circumstances of each case." The full order can be viewed at <http://www.oipcbc.org/orders/1999/Order332.html>. The commissioner described some applicable principles in Section 3.3 of his order.

If you believe that we should waive the fee in your case, please send us your request in writing, and provide detailed evidence and reasons to support your case. A simple statement of inability to pay will not be considered as sufficient evidence. We invite you to use the principles set out in Order # 332-1999 as a guide in providing information to support any request for a fee waiver.

If you do not respond to this letter within 14 days, by April 22, 2013, we will consider this request abandoned.

If you feel this fee estimate is unjustified or that you require further clarification, please contact us at foi.pct@pacificcarbontrust.com. If we cannot address your concerns, you have the right to ask the Information and Privacy Commissioner to review our decision. Please see enclosure for further information on the review and complaint process policy.

Yours sincerely,



Sheila Purdy
Associate, Executive Operations

Enclosure

REVIEWS AND COMPLAINTS

Under section 52 of the *Freedom of Information and Protection of Privacy Act* (the Act), you may ask the Information and Privacy Commissioner to review Pacific Carbon Trust's decision, act or failure to act as it relates to this request. The Act allows you 30 days from the day you receive this notice to request a review by writing to:

Office of the Information and Privacy Commissioner
for British Columbia
PO Box 9038, Stn. Prov. Govt
3rd Floor, 756 Fort Street
Victoria BC V8W 9A4

Telephone number: (250) 387-5629
Facsimile number: (250) 387-1696
Website: www.oipc.bc.ca

If you wish to request a review, please provide the Commissioner's office with:

- 1) the request number assigned to your request (the "file number" quoted at the top of the letter)
- 2) a copy of the letter; and
- 3) a copy of your original request for records that you sent to this public body.

You may also ask the Commissioner to investigate matters subject to a complaint under section 42(2) of the Act, e.g., time extensions not in accordance with the Act and fee estimates which you feel may be inappropriate.