

FEDERAL ENERGY REGULATORY COMMISSION
Office of Enforcement, Division of Investigations
Washington, D.C. 20426



January 23, 2014

Via Email

William M. McSwain, Esq.
Drinker Biddle & Reath, LLP
One Logan Square, Suite 2000
Philadelphia, PA 19103

Re: Inadvertent Posting of January 13, 2014, Letter to the Commission

Bill:

This letter responds to yours of January 17, 2014. As we explained last week, immediately after Office of Enforcement staff learned on January 16, 2014, that FERC administrative staff had inadvertently posted in eLibrary your letter to the Commission of January 13, 2014, Enforcement staff advised the Office of the Secretary that the letter should promptly be removed, which it was. The Office of Enforcement had no involvement in the posting of your letter; does not know who may have viewed it during the brief period it was inadvertently posted; and declines your request to investigate in order to identify and disclose to you the names of such persons.

Should you choose to communicate directly with the Commission in the future, you can avoid the inadvertent disclosure of communications you wish to remain confidential by following the standard practice of FERC practitioners, which is to include in such communications a prominent heading that identifies the communication as “Confidential” or “Non-public.”

Sincerely,

_____/s/_____

Steven C. Tabackman
Attorney, Division of Investigations
Office of Enforcement
Federal Energy Regulatory Commission

Cc: Tara Sarosiek, Esq.
John Estes, Esq.
DOI/DAS Investigative Team and Supervisors
Norman Bay, Director, Office of Enforcement
Larry Gasteiger, Deputy Director, Office of Enforcement
Larry Parkinson, Director, Division of Investigations
David Applebaum, Deputy Director, Division of Investigations
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Sean Collins, Deputy Director, Division of Analysis and Surveillance